

W.K. (Trey) Hoffman, Chairman
Anne-Marie McMichael, Vice Chair
Jarrad Bourger, Secretary
Jim Autenreith



Nathan Carroll
Brad Jones
Jerry Kent
Lucian Bukowski, Alternate

Notice is Hereby Given of a Regular Meeting of the Planning and Zoning Commission of Spring Valley, Texas, 1025 Campbell Road, Spring Valley Village, Texas, in the Council Chambers, February 10, 2026, beginning at 6:30 PM. For the Purpose of Considering and Acting upon the Following Items of Business:

The meeting agenda and agenda packet are posted online at www.springvalleytx.com.

The video link to this meeting is <https://us02web.zoom.us/j/82506257585>

The public toll-free dial-in numbers to participate in the telephonic meeting are 1-346-248-7799 (Houston), 1-253-215-8782 (US), and 1-301-715-8592 (US); enter the Meeting ID: 825 0625 7585 and #.

The public will be permitted to offer public comments as provided by the agenda and as permitted by the presiding officer during the meeting.

An audio recording of the meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

1. CALL THE ROLL AND ANNOUNCE A QUORUM IS PRESENT

2. APPROVAL OF MEETING MINUTES

2.1 Minutes for Regular Called Planning and Zoning Meeting on December 9, 2025.

3. OLD BUSINESS

3.1 **DISCUSSION CONCERNING:** PROPOSED AMENDMENTS TO THE CITY OF SPRING VALLEY VILLAGE CODE OF ORDINANCES; CHAPTER 3 BUILDING AND CONSTRUCTION; ARTICLE 3.1000, BUILDING AND CONSTRUCTION, URBAN FOREST PRESERVATION AND PROTECTION.

3.2 **DISCUSSION CONCERNING:** Possible Amendments to the City of Spring Valley Village Code of Ordinances; Chapter 12, Planning and Zoning:

Section 05:02.03.08 maximum lot coverage regarding clarification on artificial turf and allowable use.

4. ADJOURNMENT

In compliance with the Americans with Disabilities Act, this facility is wheelchair-accessible and accessible parking spaces are available. To better serve attendees, requests for accommodations or interpretive services should be made 48 hours prior to this meeting. Please contact the City Secretary's office at 713-465-8308 or [by email](#) for further information.

Attest:



Jasmin Torres
City Secretary



In compliance with the Americans with Disabilities Act, this facility is wheelchair accessible and accessible parking spaces are available. To better serve attendees, requests for accommodations or interpretive services should be made 48 hours prior to this meeting. Please contact the City Secretary's office at 713-465-8308, Fax 713-461-7969, or [Email Jasmin Torres](#) for further information.

Planning & Zoning Commission Meeting Minutes
City of Spring Valley Village
Tuesday, December 9, 2025

1. The Planning & Zoning Commission meeting was called to order by Chairman Trey Hoffman at 6:48 p.m. in the Council Chambers of City Hall, 1025 Campbell Road, Houston, Texas.

Planning & Zoning Members present at City Hall:

- Trey Hoffman, Chairman
- Brad Jones, member
- Nathan Carroll, member
- Jerry Kent, member
- Jarrad Bourger, secretary (arrived at 6:49 p.m.)
- Lucian Bukowski, alternate member (arrived at 6:57 p.m.)

A quorum was present.

City Officials present:

- Jasmin Torres, City Secretary
- Philip J. Boedeker, City Attorney
- Jose Gomez, Development Services Manager

2. APPROVAL OF MEETING MINUTES

2.1 Minutes for Regular Called Planning and Zoning Meeting on October 14, 2025

Jerry Kent made the motion to approve the minutes. Brad Jones seconded the motion. The motion carried 4-0.

3. OLD BUSINESS

3.1 DISCUSSION CONCERNING: POSSIBLE AMENDMENTS TO THE CITY OF SPRING VALLEY VILLAGE CODE OF ORDINANCES; CHAPTER 3 BUILDING AND CONSTRUCTION; ARTICLE 3.1000, BUILDING AND CONSTRUCTION, URBAN FOREST PRESERVATION AND PROTECTION.

The Commission continued discussion of the working draft of proposed revisions to the tree preservation ordinance, prepared by Commissioner Brad Jones based on review of ordinances from other cities (primarily Austin-area examples). Discussion focused on

definitions and thresholds for heritage trees, protected trees, and qualified trees, including diameter measurements and eligible species.

Discussion addressed trimming, pruning, topping, lion tailing, and removal requirements.

Discussion explored remedies including a dedicated tree fund for fees/penalties from tree impacts or removals, tiered fee structures based on tree size and category, variance processes, and uses of the fund for replanting in public spaces or potential matching programs.

The Commission debated balancing preservation of significant trees and city canopy with respect for private property rights and practical enforcement.

3.2 DISCUSSION CONCERNING: Possible Amendments to the City of Spring Valley Village Code of Ordinances; Chapter 12, Planning and Zoning:

Section 05:02.03.08 maximum lot coverage regarding clarification on artificial turf and allowable use.

The commission discussed whether properly installed artificial turf should count as impervious cover.

4. ADJOURNMENT

Jarrad Bourger made a motion to adjourn. Brad Jones seconded the motion. The motion carried unanimously. The meeting was adjourned at 10:15 p.m.

Signed: _____

Trey Hoffman, Chairman

Attest: _____

Jarrad Bourger, Secretary



Spring Valley Village Planning and Zoning Commission Agenda Item Data Sheet

MEETING DATE:	February 10, 2026
SUBMITTING STAFF:	Jose Gomez, Development Services Manager
SUBJECT:	DISCUSSION CONCERNING: PROPOSED AMENDMENTS TO THE CITY OF SPRING VALLEY VILLAGE CODE OF ORDINANCES; CHAPTER 3 BUILDING AND CONSTRUCTION; ARTICLE 3.1000, BUILDING AND CONSTRUCTION, URBAN FOREST PRESERVATION AND PROTECTION.

BACKGROUND:	<p>On December 9, 2025, the Commission continued its discussion of the proposed amendments to Chapter 3, Building and Construction, Article 3.1000, Urban Forest Preservation and Protection.</p> <ul style="list-style-type: none"> • The Commission reviewed and considered the amendments submitted by Commissioner Brad Jones. • Following further deliberation, the Commission recommended several revisions, including the following: <ol style="list-style-type: none"> 1. Establishment of a fee structure associated with the removal of trees classified as protected, qualified, and heritage, including proposed caliper-inch range sizes to be incorporated into the updated definitions. 2. Creation of a Tree Fund was discussed to allow for the planting of replacement trees at alternative locations when on-site planting is determined to be unfeasible. <p>Staff has provided a report detailing the last ten demolition permits or new home permits issued. The report outlines trees that were removed due to poor condition, based on a tree professional's recommendation, as well as trees that were removed due to being located within the approved construction footprint.</p> <p>Attached is an updated draft ordinance to include:</p> <ul style="list-style-type: none"> • Updated definitions, • Tree values reviewed, • Removal of the requirement for a tree trimming permit, • Nonconforming classification for developed lots not meeting minimum tree requirements, • Creation of a Tree Fund, and • Updated the tree list to identify Heritage Tree species.
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Cary M. Moran, a Consulting Forester, has reviewed the draft ordinances and has provided her professional opinion on the proposed amendments that have been attached for review.

ATTACHMENTS: ARTICLE_3.1000__URBAN_FOREST_PRESERVATION_AND_PROTECTION - draft PZ edits_ (Clean Copy),
ARTICLE_3.1000__URBAN_FOREST_PRESERVATION_AND_PROTECTION - PZ edits_ (Redline), Last 10 Tree Removals, Spring Valley Tree Ordinance review Cary M

FUNDING:

Amount Available	Account No.	Additional Appropriation Required	Project No.	Amount Budgeted	Account Description
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RECOMMENDATION: No action is required at this time. This is a discussion item.

ARTICLE 3.1000 URBAN FOREST PRESERVATION AND PROTECTION¹

§ 3.1000 Purpose; Findings

- (a) The purpose of this article is to preserve and enhance the urban forest of the city.
- (b) The city council has determined that the urban forest is of great value in the maintenance of public health and welfare. The urban forest can aid in the conservation of vital energy resources and natural resources and in the preservation of the city's heritage and quality of life. Trees are a valuable amenity to the urban environment, restoring oxygen to the atmosphere, reducing glare, reducing noise levels, providing an ecological habitat for songbirds and other animal and plant species, providing for more effective transitions between different land uses and breaking the monotony of urbanized development, pre-development, or construction. The urban forest of the city should be preserved and enhanced, to the maximum extent feasible, consistent with the property rights of its citizens.

(Ordinance 2017-06 adopted 2-28-17)

§ 3.1001 Definitions

As used in this article, the following terms shall have the meaning given below.

Building Permit shall mean any building or construction permit issued by the City of Spring Valley, Texas, for the construction, erection, or exterior alteration of any residential or commercial building, structure, or improvement.

Certified Forester shall mean a forester certified by the Society of American Foresters.

Arborist shall mean an arborist approved by the American Society of Consulting Arborists

Circumference or Diameter of a Tree shall mean circumference or diameter measured at a point on the tree four and one-half feet (4½') above the surrounding ground level. The equivalent tree circumference or diameter may be used for measurement purposes. Tree diameter in inches \times 3.14 = tree circumference in inches. (For example: ten inches (10") diameter \times 3.14 = 31.4 circumference).

To measure a tree which forks at or below four and one-half feet (4½'), only the circumference or diameter of the larger trunk will be measured.

Critical Root Zone shall mean, for any given tree, the area within a circle centered on the trunk location. The circle's diameter is one-half (½) the sum of the broadest and narrowest dripline diameters.

Landscape or Tree Professional. As defined by certification either by a state agency or by a recognized trade association or alternatively by ten (10) or more years of proven continuous experience in the planting, care, and maintenance of trees.

¹Editor's note(s)—Ord. No. 2017-06, § 2, adopted February 28, 2017, amended article 3.1000 in its entirety to read as herein set out. Former article 3.1000, §§ 3.1000—3.1011, exh. A, pertained to tree survey required as part of building permit application. See Ordinance Disposition Table for complete derivation.

Heritage Tree shall mean a certain type of tree from the Heritage Tree List of more than thirty-six (36) inches in diameter or greater, as measured 4.5 feet from the ground.

Protected Tree shall mean a tree of thirty (30) inches in diameter, as measured 4.5 feet from the ground and is one of the species on the Protected Tree List.

Qualified Tree shall mean a tree which is included on the city's approved planting list and has a diameter of at least twenty inches (20").

Right-of-Way Area shall mean an area in the right-of-way of a street.

Structure shall mean that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts jointed together in some definite manner.

Subject Site shall mean (1) the building site, or other site, upon which construction activity is to occur, and (2) the right-of-way area for that site.

Topping shall mean the practice of removing the top of a central stem, or leader, on a tree and the upper main branches. It damages the health and structural stability of the tree.

Tree shall mean a long-lived, branching, woody plant, usually with one (1) main stem, which may attain a height of fifty feet (50') or more.

Tree Fund shall mean the fund created pursuant to section 3.1008 of this article.

Tree Survey shall mean an on-the-ground survey containing the location of trees, their circumferences, types (species), crown areas (dripline) and other data to accurately describe existing and proposed trees.

Understory Tree shall mean a long-lived, branching, woody plant, which usually obtains a height less than thirty feet (30').

(Ordinance 2017-06 adopted 2-28-17)

§ 3.1002 Tree Survey Required; Exception; Tree Protection Plan Required

Prior to the issuance of any building permit, a tree survey shall be submitted concurrent with, and shall be approved as a part of, the application for a building permit.

- (1) Exceptions. A tree survey is not required as a part of the application for a building permit in the following circumstances only:
 - (A) For a minor or small construction project for which the applicant certifies as true by signature that "No tree ten inches (10") or larger in diameter (thirty-one and four-tenths inches (31.4") or larger in circumference) will be removed or destroyed in connection with the construction of the improvements covered by this building permit application;" and provided, however, the tree protection plan required by this article in the following section shall be required.
 - (B) For a non-residential planned area development ("PAD") in the city's PAD zoning district which as approved by city council includes tree and landscaping plans (an "approved, non-residential PAD"); provided, however, the tree protection plan required by this article in the following section shall be required.
- (2) Components of the Tree Survey. The tree survey shall be accurate and shall be prepared by a person with expertise to prepare such a document: for example, an architect, engineer, landscape or tree professional, or surveyor. The tree survey shall include and contain as a minimum the following information.

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- (A) The actual location (i.e. trunk location) of each tree on the subject lot or tract which is ten inches (10") in diameter (thirty-one and four-tenths inches (31.4") in circumference) or larger, identifying those which are to be removed or destroyed as a result of the building permit being requested.
 - (B) Outlines of existing and proposed buildings or structure, including driveways, parking areas or other paved surfaces, pools, spas, fences, irrigation systems, utilities, drainage, and other improvements and structural features to be constructed.
 - (C) The tree survey shall be accompanied by a tree protection plan, as set out in the following section.
 - (D) The tree survey shall contain a scale, north arrow, name, address, and profession or occupation of the person who prepared it, and the name of the site owner and/or homebuilder/developer. The tree survey shall also identify the development and provide a description of the subject property and its location. The tree survey shall also depict (a) every qualified tree in the subject site, and (b) every qualified tree located elsewhere which has thirty percent (30%) or more of its critical root zone in the subject site.

(Ordinance 2017-06 adopted 2-28-17)

§ 3.1003 Tree Protection Plan

The tree survey shall be accompanied by a "tree protection plan" which shall be prepared by a landscape or tree professional.

The tree protection plan shall indicate how all trees ten inches (10") in diameter (thirty-one and four-tenths inches (31.4") in circumference) or larger, which are identified by the tree survey, shall be protected, according to the following minimum requirements.

- (1) Basic Tree Protection. During construction each tree or group of trees ten inches (10") in diameter (thirty-one and four-tenths inches (31.4") in circumference) or larger shall be completely enclosed within six feet (6') or higher chain link fence, with lateral supports spaced no more than eight feet (8') apart, located outside the drip line of all trees. Each such fence shall have a sign affixed to it as shown on exhibit "C" attached hereto. Such sign shall be weatherproof and affixed securely to the fence such that the sign can be read from the street. The minimum drip line for this purpose is one foot (1') of radial distance from the base of the tree for every inch of tree diameter unless construction of improvements is to occur within this drip line area. In that event, the tree protection fence shall enclose the balance of the drip line or construction area, the area upon which construction activities will take place, must be protected with a wooden grid constructed of two inches (2") by six inches (6") lumber fastened both horizontally and vertically by wood screws on eighteen inches (18") centers on top of a four-inch (4") to six-inch (6") layer of organic mulch.
- (2) Tree Protection from Concrete Construction. During construction of concrete improvements to be constructed within the drip line of a tree, in addition to the basic tree protection required by the preceding subsection, the following additional minimum protection measures must be implemented.
 - (A) Plans for feeding, watering, pruning of limbs or roots, and drainage must be prepared and submitted. The plan must be approved by a landscape or tree professional who is retained by the applicant.
 - (B) Forced feeding and watering to assist in tree survival must be done on a schedule recommended in the Tree Protection Plan.

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- (C) A plastic vapor barrier must be installed beneath all concrete construction within the drip line of a tree.
 - (D) Recommended or necessary pruning of limbs or roots must be performed according to the tree protection plan. Pruning of limbs or roots must be accomplished at least two (2) weeks prior to the construction in the drip line, if more than twenty percent (20%) of the construction is within the drip line; unless a landscape or tree professional approved by the city approves of provisions for an alternative plan to protect the tree or trees. No roots larger than one inch (1") in diameter shall be cut.
- (3) It shall be unlawful to pour or dispose of waste concrete, lime, paint, paint thinner, chemicals or other soil contaminants, or place any building or construction materials or topsoil.
 - (4) Drainage Affecting Trees. In the event construction causes or results in standing water or wet soil conditions which are harmful to the species of trees present, drainage must be provided for in the tree protection plan to prevent suffocation and/or root rot of the tree.
 - (5) Physical Damage to be Prevented. In connection with construction activities, no person shall damage any tree trunk or limb with any equipment, or by nailing or bolting into the tree, or by attachment of guy wires or cables. In the event that an existing tree is damaged more than twenty-five percent (25%), the damaged tree shall be replaced with an approved tree not less than three inches (3") in diameter (9.42" in circumference).
 - (6) Fill Placed Within a Tree Drip Line. No fill dirt, soil, or sand, is permitted in excess of two inches (2") under any tree drip line except within the footprint or area of the building or structure constructed.

(Ordinance 2017-06 adopted 2-28-17)

§3.1004 Tree Removal Permit Required

- (1) All tree removals must go through a permit process. This is to determine the species, Protected Tree, Qualified Tree or Heritage Tree status, or if there is a public hazard or nuisance.
- (2) Removal of Protected Trees should be avoided. In the case of bug infestation or disease, treatments should be pursued before removal if possible. Protected trees should be replaced following the procedures outlined in section 3.1009.
- (3) Removal of a Heritage Tree is highly discouraged. Heritage Trees shall be replaced following the procedures outlined in Section 3.1009.
- (4) Removal of a Qualified Tree is highly discouraged. Qualified Trees shall be replaced following the procedures outlined in Section 3.1009
- (5) Residents are highly encouraged to use a licensed and insured tree care professional for all removals as they can pose a serious risk to life and property.
- (6) All fees assessed under this section shall be paid into the Tree Fund.

a) Exception

- (1) As a result of storm or fire, a person may, without a permit, remove such storm or fire damaged tree that is an imminent hazard to life or property if the tree is removed within seven days of being damaged by the event.

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- a. Photos of the damaged tree and a written explanation showing the imminent hazard will be provided to the City within 5 days of the event.
 - b. If imminent hazard is not shown to have existed, the City may impose fines or fees for the removal of said damaged tree without having first obtained a permit.
 - c. The City Manager or their designee may extend these deadlines for widespread and extensive storm damage.
 - d. This exception is extended to cover Protected, Qualified and Heritage Trees should a storm damage them significantly and it poses a serious immediate hazard to person or property. No fee will be assessed nor replacement required for trees that have been damaged in a natural event or fire for which full removal is suggested or required. If such tree is designated as Protected, Qualified or Heritage and was removed, and it is determined that full removal was not necessary by City Official and a certified arborist, then the appropriate replacement costs will be imposed.
- (2) Any tree that is dead or in an advanced stage of disease may be removed without a permit.

§3.1005 Minimum Tree Requirement for Each Lot

(1) Tree Requirement for Each Lot:

- a. All lots between nine thousand square feet (9,000) and fifteen thousand square feet (15,000) that are not radial or cul-de-sac lots shall be required to have five (5) approved trees, each with a minimum of three inches (3") in diameter (9.42" in circumference), with two (2) of such trees located in the front yard.
- b. Any lot which is less than nine thousand square feet (9,000) and is not a radial or cul-de-sac lot shall be required to have four (4) approved trees, each with a minimum of three inches (3") in diameter (9.42" in circumference), with two (2) of such trees located in the front yard.
- c. Any cul-de-sac or radial lot shall be required to have four (4) approved trees, each with a minimum of three inches (3") in diameter (9.42" in circumference), with one (1) of such trees located in the front yard.
- d. All lots larger than fifteen thousand square feet (15,000) that are not radial or cul-de-sac lots shall be required to have six (6) approved trees, each with a minimum of three inches (3") in diameter (9.42" in circumference), with two (2) of such trees located in the front yard.

All trees shall be planted a minimum of ten feet (10') from other trees. In the event that, in the written opinion of a landscape or tree professional, the topography or natural condition of the site, or the location of permitted structures and other improvements to the site, it is not reasonably possible to plant and maintain an otherwise required tree, an understory tree from the approved understory tree list attached hereto and made a part hereof as exhibit "B" may be planted in its place.

- (2) It is the intent of this ordinance to promote the retention of Qualified trees, Heritage trees and Protected trees. Accordingly, an owner, or homebuilder, developer, shall be given credit for retaining qualified trees and protected trees as follows:
- (a) Each qualified tree shall count as two (2) trees for purposes of determining the number of trees required on a lot; and
 - (b) Each protected tree shall count as three (3) trees for purposes of determining the number of trees required on a lot.

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- (C) Each heritage tree shall count as three (4) trees for purposes of determining the number of trees required on a lot.
- (3) Each qualified tree or protected tree for which the owner and/or homebuilder/developer is given credit pursuant to this subsection shall remain healthy and living for a period of three (3) years following construction. Should such qualified tree or protected tree not survive for that period, the minimum tree requirements shall be recalculated without the provided tree credits and the owner and/or homebuilder/developer shall comply with the requirements of this section without consideration of the credit(s) for the qualified tree(s) or protected tree(s).
- (4) If a lot is determined to have below the minimum required trees, that lot shall be considered nonconforming for purposes of this ordinance. At such time a building permit is pulled for said nonconforming lot that involves a new build or a remodel that expands the square footage of either the primary or ancillary structure, that lot must return to conformity with this Section.

§ 3.1006 Timing

Each tree planting required by this article shall be completed within thirty (30) days or, if the season or weather are such that a successful planting is unlikely, no later than the following January after the completion of the improvements, as reflected in the building permit application. In the case of postponed plantings, later than thirty (30) days, tree deposits equivalent to five hundred dollars (\$500.00) per tree shall be made to city to assure performance.

(Ordinance 2017-06 adopted 2-28-17)

§ 3.1007 Destruction or Damage to Trees on Public Property

Nothing in this article shall prevent the City of Spring Valley or any public utility from performing necessary maintenance and repair activities which may affect trees located on or over public property or utility easements.

§ 3.1008 TREE FUND

- (1) A fund is hereby created in which any/all permit fees, penalties, and fee-in-lieu paid to the City pursuant to the mandates of this article shall be deposited.
- (2) The assets of the fund shall only be expended to purchase and plant new trees, plants, or landscaping in public parks, parkways, medians, and rights-of-way of public streets and upon the grounds of other public property of the City. Planting costs payable from the fund include the installation of related irrigation equipment and other measures necessary to protect and subsequent maintenance following planting. An amount not to exceed 20 percent of the fund balance at the beginning of each fiscal year may be expended to promote public awareness of the objectives of this article, including Earth Day, or Arbor Day programs for the distribution of sapling trees to the general public.
- (3) The assets of the fund may be expended to hire or contract with a Certified Forester, landscape architect, or Arborist to help with enforcement, inspections and reviews as well as to promote public awareness of the objectives of this article and may be used for necessary expenses, equipment, or contractual obligations related to the enforcement of this article.

§ 3.1009 PROTECTED, QUALIFIED, AND HERITAGE TREES

- (1) Protected Trees.

(A) Trees designated as Protected Trees under this article are considered to be highly desirable, and private landowners and developers are encouraged to preserve these trees through proper care and maintenance.

(B) An Arborist is recommended but not required for trimming on protected trees except all Oak species. Protected size trees of the Oak species will require an Arborist for trimming.

(C) If removal of a protected tree is desired, then the landowner or responsible party of existing lots and/or new development must request a permit for removal and they must provide replacement tree at a ratio of 1:1, or Fee-in-lieu may be paid to the City Tree Fund in the amount equal to the cost of nursery stock required to replace the diameter amounts lost and the cost of installation on a per unit basis, at a cost of \$450.00 per diameter inch lost. Trees within the construction footprint will be assessed at fifty percent of the total fee.

(D) Homeowners may offset costs by 100 percent with a tree replacement, non-resident developers may offset costs by 50 percent with a tree replacement but are subject to pay the remaining fee, and commercial developers allowed 40 percent offset with planting and then are subject to pay the remaining fees.

(2) Heritage Trees

(A) Trees designated as Heritage Trees under this article are considered to be extremely desirable to the City and its residents and are to be trimmed or removed only under the highest scrutiny.

(B) An Arborist is required for all trimming on Heritage Trees.

(C) Property owners, residents, and developers who wish to remove a Heritage Tree must, through the Permit Process, show that there is no other reasonable alternative. Placement of a desired structure is not considered to be reason enough to remove a Heritage Tree.

(D) If a removal granted, a replacement must be provided at a ratio of 1:1, or Fee-in-lieu may be paid to the City Tree Fund in the amount equal to the cost of nursery stock required to replace the diameter amounts lost and the cost of installation on a per unit basis, at a cost of \$500.00 per diameter inch lost. Trees within the construction footprint will be assessed at fifty percent of the total fee.

(E) Homeowners may offset costs by 100 percent with a tree replacement, non-resident developers may offset costs by 50 percent with a tree replacement but are subject to pay the remaining fee, and commercial developers allowed 40 percent offset with planting and then are subject to pay the remaining fees.

(3) Qualified Trees.

(A) Trees designated as Qualified Trees under this article are considered to be highly desirable, and private landowners and developers are encouraged to preserve these trees through proper care and maintenance.

(B) An Arborist is recommended but not required for trimming on qualified trees except all Oak species. Qualified size trees of the Oak species will require an Arborist for trimming.

(C) If removal of a Qualified tree is desired, then the landowner or responsible party of existing lots and/or new development must request a permit for removal and they must provide replacement tree at a ratio of 1:1, or fees-in-lieu may be paid to the City Tree Fund in the amount equal to the cost of nursery stock required to replace the diameter amounts lost and the cost of installation on a per unit basis, at a cost of \$450.00 per diameter inch lost. Trees within the construction footprint will be assessed at fifty percent of the total fee.

(D) Homeowners may offset costs by 100 percent with a tree replacement, non-resident developers may offset costs by 50 percent with a tree replacement but are subject to pay the remaining fee, and

commercial developers allowed 40 percent offset with planting and then are subject to pay the remaining fees.

(4)

§ 3.1010 Penalty

(1) Any person, firm, partnership, association, corporation, company, or organization of any kind who or which intentionally, knowingly, recklessly, or with criminal negligence violates any of the provisions of this article shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall, in addition to any other fines allowed under this article, be fined in accordance with the general penalty provision found in Section 1.106 of this code. Each day during which such violation shall exist or occur shall constitute a separate offense.

(2) The owner or owners of any property or of premises where any violation of this article shall occur, and any agent, contractor, builder, architect, person, association, organization, or corporation who shall assist in the commission of such offense shall be guilty of a separate offense, and, upon conviction thereof, shall be punished as above provided.

(3) All penalties and fines assessed under this article shall be paid into the Tree Fund.

(4) Compliance. Violators of this section will be required to come into compliance within 60 days, unless a variance has been approved by the City. Compliance with this article may be grounds for withholding of other related pending permits for the project by the City.

(5) Enforcement. The City shall have the power to administer and enforce the provisions of this article as may be required by governing law. Any person violating any provision of this article is subject to a stop work order, suit for injunctive relief, and/or prosecution for criminal violations. Any violation of this article is hereby declared to be a nuisance. Any violation of this article may serve as grounds to withhold or delay issuance of other permits and revocation of a certificate of occupancy.

(6) Civil remedies. Nothing in this article shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this article and to seek remedies as allowed by law, including but not limited to the following:

(A) Injunctive relief. Injunctive relief to prevent specific conduct that violates this article or to require specific conduct that is necessary for compliance with this article;

(B) Civil penalty. A civil penalty up to \$500.00 a day to be deposited in the City Tree Fund, when it is shown that the defendant was notified of the provisions of this article and after receiving notice committed acts in violation of this article or failed to take action necessary for compliance with this article, and other available relief; and

(C) Stop work order. In the event work is not being performed in accordance with this article, the City shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect.

**Exhibit A
Approved Tree List**

Species	Common Name	Botanical Name	
Ash	Green Ash	Fraxinus pennsylvanica	
	White Ash	Fraxinus Americana	
Birch	River Birch	Betula nigra	
Cedar	Eastern Red Cedar	Juniperus virginiana	
Cypress	Bald Cypress	Taxodium distichum	
	Montezuma Cypress	Taxodium mucranutum	
Elm	American Elm	Ulmus Americana	H
	Cedar Elm	Ulmus crassifolia	
	Lacebark Elm	Ulmus parvifolia	
	Winged Elm	Ulmus alata	
Hickory	Hickory species	Carya varieties	
Magnolia	Southern Magnolia	Magnolia grandiflora	H
Maple	Drummond Red maple	Acer rubrum var. drummondii	
	Trident Maple	Acer buergerianum	
Oak	Bur Oak	Quercus macrocarpa	H
	Chiquapin Oak	Quercus muehlenbergii	
	Durrand Oak	Quercus durrandii	
	Laurel Oak	Quercus laurifolia	
	Live oak	Quercus virginiana	H
	Mexican White Oak	Quercus polymorpha	
	Nuttall Oak	Quercus nuttallii	
	Overcup Oak	Quercus lyrata	
	Post Oak	Quercus stellata	
	Shumard Oak	Quercus shumardii	
	Swamp Chestnut Oak	Quercus michauxii	
	Water Oak	Quercus nigra	
	White Oak	Quercus alba	
Pine Tree	Loblolly Pine	Pinus taeda	
	Longleaf Pine	Pinus palustris	
Pistache	Chinese Pistache	Pistacia chinensis	
Sweet Gum	American Sweet Gum	Liquidambar styraciflua	
Sycamore	American Sycamore	Platanus occidentalis	H
	Mexican Sycamore	Platanus mexicana	
Walnut	Black Walnut	Juglans nigra	
Others	Anacua	Ehertia anacua	
	Basswood	Tilia Americana	
	Black Tupelo	Nyssa aquatic	
	Gum Bumelia	Bumelia lanuginosa	
	Red Bay	Persea borbonia	

H = Heritage Tree Indicator

**Exhibit B
Approved Understory Tree List**

Created: 2025-05-15 15:53:57 [EST]

(Supp. No. 59)

Fringe Tree	Chinese Fringe Tree	Chionanthus retusus
	Fringe Tree	Chionanthus spp
Hawthorn	Parsley Hawthorn	Crateagus marshallii
Holly	American Holly (tree form)	Ilex opaca
	Dahoon Holly	Ilex cassine
	East Palatka Holly	Ilex x attenuata "East Palatka"
	Possumhaw Holly	Ilex decidua
	Savannah Holly	Ilex x attenuata "Savannah"
Laurel	Cherry Laurel	Prunus caroliniana
	Mexican Plum	Prunus Mexicana
	Texas Mountain Laurel	Sophora secundiflora
Magnolia	Little Gem Magnolia	Magnolia grandiflora 'Little Gem'
	Saucer Magnolia	Magnolia x soulangiana
	Sweet Bay	Magnolia virginiana
Maple	Chalk Maple	Acer leucoderme
Pistache	Texas Pistache	Pistacia texana
Redbud	Redbud	Cercis canadensis
Viburnum	Rusty Black-Haw	Viburnum rufidulum
Others	Hophornbeam	Carpinus caroliniana
	Flameleaf Sumac	Rhus spp
	Mexican Buckeye	Ungradia speciosa

(Ordinance 2017-06 adopted 2-28-17; Ordinance 2020-16 adopted 4-28-20)

EXHIBIT C

TREE PROTECTION FENCING

Required by Code of Ordinances
City of Spring Valley Village

DO NOT REMOVE!

FINE: \$100 OR MORE, JOB MAY BE SHUTDOWN, FOR PERMISSION FOR TEMPORARY REMOVAL CALL (713) 465-8308. TO REPORT VIOLATIONS, CALL (713) 465-8308.

CERCAS PARA PROTECCION de ARBOLES

Requerido por Código de Ordenanzas

POR FAVOR NO RETIRE EL LETRERO

MULTA DE: \$100 O MÁS, TRABAJO PUEDE SER TERMINADO, PARA PERMISO PARA REMOCION TEMPORAL LLAME: (713) 465-8308. PARA DENUNCIAR UNA INFRACCION LLAME: (713) 465-8308.

(Ordinance 2017-06 adopted 2-28-17)

ARTICLE 3.1000 URBAN FOREST PRESERVATION AND PROTECTION¹

§ 3.1000 Purpose; Findings

- (a) The purpose of this article is to preserve and enhance the urban forest of the city.
- (b) The city council has determined that the urban forest is of great value in the maintenance of public health and welfare. The urban forest can aid in the conservation of vital energy resources and natural resources and in the preservation of the city's heritage and quality of life. Trees are a valuable amenity to the urban environment, restoring oxygen to the atmosphere, reducing glare, reducing noise levels, providing an ecological habitat for songbirds and other animal and plant species, providing for more effective transitions between different land uses and breaking the monotony of urbanized development, pre-development, or construction. The urban forest of the city should be preserved and enhanced, to the maximum extent feasible, consistent with the property rights of its citizens.

(Ordinance 2017-06 adopted 2-28-17)

§ 3.1001 Definitions

As used in this article, the following terms shall have the meaning given below.

Building Permit shall mean any building or construction permit issued by the City of Spring Valley, Texas, for the construction, erection, or exterior alteration of any residential or commercial building, structure, or improvement.

Certified Forester shall mean a forester certified by the Society of American Foresters.

Arborist shall mean an arborist approved by the American Society of Consulting Arborists

Circumference or Diameter of a Tree shall mean circumference or diameter measured at a point on the tree four and one-half feet (4½') above the surrounding ground level. The equivalent tree circumference or diameter may be used for measurement purposes. Tree diameter in inches × 3.14 = tree circumference in inches. (For example: ten inches (10") diameter × 3.14 = 31.4 circumference).

To measure a tree which forks at or below four and one-half feet (4½'), only the circumference or diameter of the larger trunk will be measured.

Critical Root Zone shall mean, for any given tree, the area within a circle centered on the trunk location. The circle's diameter is one-half (½) the sum of the broadest and narrowest dripline diameters.

Landscape or Tree Professional. As defined by certification either by a state agency or by a recognized trade association or alternatively by ten (10) or more years of proven continuous experience in the planting, care, and maintenance of trees.

¹Editor's note(s)—Ord. No. 2017-06, § 2, adopted February 28, 2017, amended article 3.1000 in its entirety to read as herein set out. Former article 3.1000, §§ 3.1000—3.1011, exh. A, pertained to tree survey required as part of building permit application. See Ordinance Disposition Table for complete derivation.

Heritage Tree shall mean a certain type of tree from the Heritage Tree List of more than ~~twenty-fourthirty-six~~ (36) inches in diameter or greater, as measured 4.5 feet from the ground.

Protected Tree shall mean a tree of ~~between nineteen (19) and twenty-fourthirty~~ (30) inches in diameter, as measured 4.5 feet from the ground and is one of the following species: shall mean a tree which is included on the city's approved planting list and has a diameter of at least thirty inches (30")-species on the Protected Tree List.

Qualified Tree shall mean a tree which is included on the city's approved planting list and has a diameter of at least twenty inches (20").

Right-of-Way Area shall mean and area in the right-of-way of a street.

Structure shall mean that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts jointed together in some definite manner.

Subject Site shall mean (1) the building site, or other site, upon which construction activity is to occur, and (2) the right-of-way area for that site.

Topping shall mean the practice of removing the top of a central stem, or leader, on a tree and the upper main branches. It damages the health and structural stability of the tree.

Tree shall mean a long-lived, branching, woody plant, usually with one (1) main stem, which may attain a height of fifty feet (50') or more.

Tree Fund shall mean the fund created pursuant to section 3.1008 of this article.

Tree Survey shall mean an on-the-ground survey containing the location of trees, their circumferences, types (species), crown areas (dripline) and other data to accurately describe existing and proposed trees.

Understory Tree shall mean a long-lived, branching, woody plant, which usually obtains a height less than thirty feet (30').

(Ordinance 2017-06 adopted 2-28-17)

§ 3.1002 Tree Survey Required; Exception; Tree Protection Plan Required

Prior to the issuance of any building permit, a tree survey shall be submitted concurrent with, and shall be approved as a part of, the application for a building permit.

- (1) Exceptions. A tree survey is not required as a part of the application for a building permit in the following circumstances only:
 - (A) For a minor or small construction project for which the applicant certifies as true by signature that "No tree ten inches (10") or larger in diameter (thirty-one and four-tenths inches (31.4") or larger in circumference) will be removed or destroyed in connection with the construction of the improvements covered by this building permit application;" and provided, however, the tree protection plan required by this article in the following section shall be required.
 - (B) For a non-residential planned area development ("PAD") in the city's PAD zoning district which as approved by city council includes tree and landscaping plans (an "approved, non-residential PAD"); provided, however, the tree protection plan required by this article in the following section shall be required.
- (2) Components of the Tree Survey. The tree survey shall be accurate and shall be prepared by a person with expertise to prepare such a document: for example, an architect, engineer, landscape or tree professional, or surveyor. The tree survey shall include and contain as a minimum the following information.

-
- (A) The actual location (i.e. trunk location) of each tree on the subject lot or tract which is ten inches (10") in diameter (thirty-one and four-tenths inches (31.4") in circumference) or larger, identifying those which are to be removed or destroyed as a result of the building permit being requested.
 - (B) Outlines of existing and proposed buildings or structure, including driveways, parking areas or other paved surfaces, pools, spas, fences, irrigation systems, utilities, drainage, and other improvements and structural features to be constructed.
 - (C) The tree survey shall be accompanied by a tree protection plan, as set out in the following section.
 - (D) The tree survey shall contain a scale, north arrow, name, address, and profession or occupation of the person who prepared it, and the name of the site owner and/or homebuilder/developer. The tree survey shall also identify the development and provide a description of the subject property and its location. The tree survey shall also depict (a) every qualified tree in the subject site, and (b) every qualified tree located elsewhere which has thirty percent (30%) or more of its critical root zone in the subject site.

(Ordinance 2017-06 adopted 2-28-17)

§ 3.1003 Tree Protection Plan

The tree survey shall be accompanied by a "tree protection plan" which shall be prepared by a landscape or tree professional.

The tree protection plan shall indicate how all trees ten inches (10") in diameter (thirty-one and four-tenths inches (31.4") in circumference) or larger, which are identified by the tree survey, shall be protected, according to the following minimum requirements.

- (1) Basic Tree Protection. During construction each tree or group of trees ten inches (10") in diameter (thirty-one and four-tenths inches (31.4") in circumference) or larger shall be completely enclosed within six feet (6') or higher chain link fence, with lateral supports spaced no more than eight feet (8') apart, located outside the drip line of all trees. Each such fence shall have a sign affixed to it as shown on exhibit "C" attached hereto. Such sign shall be weatherproof and affixed securely to the fence such that the sign can be read from the street. The minimum drip line for this purpose is one foot (1') of radial distance from the base of the tree for every inch of tree diameter unless construction of improvements is to occur within this drip line area. In that event, the tree protection fence shall enclose the balance of the drip line or construction area, the area upon which construction activities will take place, must be protected with a wooden grid constructed of two inches (2") by six inches (6") lumber fastened both horizontally and vertically by wood screws on eighteen inches (18") centers on top of a four-inch (4") to six-inch (6") layer of organic mulch.
- (2) Tree Protection from Concrete Construction. During construction of concrete improvements to be constructed within the drip line of a tree, in addition to the basic tree protection required by the preceding subsection, the following additional minimum protection measures must be implemented.
 - (A) Plans for feeding, watering, pruning of limbs or roots, and drainage must be prepared and submitted. The plan must be approved by a landscape or tree professional who is retained by the applicant.
 - (B) Forced feeding and watering to assist in tree survival must be done on a schedule recommended in the Tree Protection Plan.

- (C) A plastic vapor barrier must be installed beneath all concrete construction within the drip line of a tree.
- (D) Recommended or necessary pruning of limbs or roots must be performed according to the tree protection plan. Pruning of limbs or roots must be accomplished at least two (2) weeks prior to the construction in the drip line, if more than twenty percent (20%) of the construction is within the drip line; unless a landscape or tree professional approved by the city approves of provisions for an alternative plan to protect the tree or trees. No roots larger than one inch (1") in diameter shall be cut.
- (3) It shall be unlawful to pour or dispose of waste concrete, lime, paint, paint thinner, chemicals or other soil contaminants, or place any building or construction materials or topsoil.
- (4) Drainage Affecting Trees. In the event construction causes or results in standing water or wet soil conditions which are harmful to the species of trees present, drainage must be provided for in the tree protection plan to prevent suffocation and/or root rot of the tree.
- (5) Physical Damage to be Prevented. In connection with construction activities, no person shall damage any tree trunk or limb with any equipment, or by nailing or bolting into the tree, or by attachment of guy wires or cables. In the event that an existing tree is damaged more than twenty-five percent (25%), the damaged tree shall be replaced with an approved tree not less than three inches (3") in diameter (9.42" in circumference).
- (6) Fill Placed Within a Tree Drip Line. No fill dirt, soil, or sand, is permitted in excess of two inches (2") under any tree drip line except within the footprint or area of the building or structure constructed.

(Ordinance 2017-06 adopted 2-28-17)

§ 3.1004 Tree Trimming Permit Required; Minimum Tree Requirement for Each Lot

- ~~(1) A tree permit shall be required for the removal trimming of any and all trees greater than ten inches (10") as part of any new build or remodel that expands the square footage of either the primary or ancillary structure.~~
- ~~The permit shall be for a certified forester or arborist to assess if the proposed removal of tree canopy will result in the eventual loss of said tree. If the certified forester or arborist determines that the intended trimming would more than likely result in the death of said tree, the tree shall be considered a removal and processed accordingly.~~
- (a) ~~Exceptions:~~
 - (i) ~~Any tree which is dead or in an advanced stage of disease may be removed without a permit; and~~
 - (ii) ~~Any tree which poses a threat to life or property may be removed without a permit.~~
 - (1) ~~All tree removals must go through a permit process separate from the tree trimming process. This is to determine the species, Protected Tree or Heritage Tree status, or if there is a public hazard or nuisance.~~
 - (2) ~~Removal of Protected Trees should be avoided. In the case of bug infestation or disease, besides Oak Wilt, treatments should be pursued before removal if possible. Protected trees should be replaced following the procedures outlined in section 3.1009(A).~~
 - (3) ~~Removal of Heritage Trees is prohibited. A variance must be requested, significant proof is needed for approval to remove beyond placement of a desired structure alone, and the replacement procedures outlined in section 3.1009(B) apply.~~

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(Supp. No. 59)

(4) ~~Removal of trees listed in section 3.1004 (11) is permitted and no replacement procedure is required. The permit in this case is simply to establish the tree type.~~

(5) ~~Residents are highly encouraged to use a licensed and insured tree care professional for all removals as they can pose a serious risk to life and property.~~

(6) ~~All fees assessed under this section shall be paid into the Tree Fund.~~ **§3.10045 Tree Removal Permit Required**

§ 3.1010 TREE REMOVAL.

(1) ~~All tree removals must go through a permit process separate from the tree trimming process. This is to determine the species, Protected Tree, Qualified Tree or Heritage Tree status, or if there is a public hazard or nuisance.~~

(2) ~~Removal of Protected Trees should be avoided. In the case of bug infestation or disease, besides Oak Wilt, treatments should be pursued before removal if possible. Protected trees should be replaced following the procedures outlined in section 3.101109(A).~~

(3) ~~Removal of a Heritage Tree is highly discouraged. Heritage Trees shall be replaced following the procedures outlined in Section 3.1011.~~ (4) ~~Removal of trees listed in section 3.1004 (11) is permitted and no replacement procedure is required. The permit in this case is simply to establish the tree type.~~

(4) ~~Removal of a Qualified Tree is highly discouraged. Qualified Trees shall be replaced following the procedures outlined in Section 3.1011~~

(5) ~~Residents are highly encouraged to use a licensed and insured tree care professional for all removals as they can pose a serious risk to life and property.~~

(6) ~~All fees assessed under this section shall be paid into the Tree Fund.~~

Commented [PB1]: Did we still want this to all go to the Tree Fund? Or just the caliper inch costs

a) §3.1006 Exception to Trimming and Removal Permit and Fee

(1) ~~As a result of storm or fire, a person may, without a permit, trim, prune or remove such a storm or fire damaged tree that is an imminent hazard to life or property if the tree is removed within seven days of being damaged by the event.~~

a. ~~Photos of the damaged tree and a written explanation showing the imminent hazard will be provided to the City within 45 days of the event.~~

b. ~~If imminent hazard is not shown to have existed, the City may impose fines or fees for the removal of said damaged tree without having first obtained a permit.~~

c. ~~The City Manager or their designee may extend these deadlines for widespread and extensive storm damage.~~

d. ~~This exception is extended to cover Protected, Qualified and Heritage Trees should a storm damage them significantly and it poses a serious immediate hazard to person or property. No fee will be assessed nor replacement required for Protected and Heritage trees that have been damaged in a natural event or fire for which full removal is suggested or required. If such the tree is designated as Protected, Qualified or Heritage and was removed, and it is determined that full removal was not necessary by City Official and a certified arborist, then the appropriate replacement costs will be imposed.~~

(2) ~~Any tree that is dead or in an advanced stage of disease may be removed without a permit.~~

§3.10057 Minimum Tree Requirement for Each Lot

(142) Tree Requirement for Each Lot:

- a. All lots between nine thousand square feet (9,000) and fifteen thousand square feet (15,000) that are not radial or cul-de-sac lots shall be required to have five (5) approved trees, each with a minimum of three inches (3") in diameter (9.42" in circumference), with two (2) of such trees located in the front yard.
- b. Any lot which is less than nine thousand square feet (9,000) and is not a radial or cul-de-sac lot shall be required to have four (4) approved trees, each with a minimum of three inches (3") in diameter (9.42" in circumference), with two (2) of such trees located in the front yard.
- c. Any cul-de-sac or radial lot shall be required to have four (4) approved trees, each with a minimum of three inches (3") in diameter (9.42" in circumference), with one (1) of such trees located in the front yard.
- d. All lots larger than fifteen thousand square feet (15,000) that are not radial or cul-de-sac lots shall be required to have six (6) approved trees, each with a minimum of three inches (3") in diameter (9.42" in circumference), with two (2) of such trees located in the front yard.

All trees shall be planted a minimum of ten feet (10') from other trees. In the event that, in the written opinion of a landscape or tree professional, the topography or natural condition of the site, or the location of permitted structures and other improvements to the site, it is not reasonably possible to plant and maintain an otherwise required tree, an understory tree from the approved understory tree list attached hereto and made a part hereof as exhibit "B" may be planted in its place.

(3215) It is the intent of this ordinance to promote the retention of Qualified trees, Heritage trees and Protected trees. Accordingly, an owner, ~~and/or~~ homebuilder, ~~or~~ developer, shall be given credit for retaining qualified trees and protected trees as follows:

- (a) Each qualified tree shall count as two (2) trees for purposes of determining the number of trees required on a lot; and
- (b) Each protected tree shall count as three (3) trees for purposes of determining the number of trees required on a lot.

(C) -Each heritage tree shall count as three (4) trees for purposes of determining the number of trees required on a lot.

(316) Each qualified tree or protected tree for which the owner and/or homebuilder/developer is given credit pursuant to this subsection shall remain healthy and living for a period of three (3) years following construction. Should such qualified tree or protected tree not survive for that period, the minimum tree requirements shall be recalculated without the provided tree credits and the owner and/or homebuilder/developer shall comply with the requirements of this section without consideration of the credit(s) for the qualified tree(s) or protected tree(s).

(4) If a lot is determined to have below the minimum required trees, that lot shall be considered nonconforming for purposes of this ordinance. At such time a building permit is pulled for said nonconforming lot that involves a new build or a remodel that expands the square footage of either the primary or ancillary structure, that lot must return to conformity with this Section.

~~(Ordinance 2017-06 adopted 2-28-17)~~

§ 3.100685 Timing

Each tree planting required by this article shall be completed within thirty (30) days or, if the season or weather are such that a successful planting is unlikely, no later than the following January after the completion of the improvements, as reflected in the building permit application. In the case of postponed plantings, later than thirty (30) days, tree deposits equivalent to five hundred dollars (\$500.00) per tree shall be made to city to assure performance.

~~(Ordinance 2017-06 adopted 2-28-17)~~

§ 3.100796 Destruction of Damage to Trees on Public Property

Nothing in this article shall prevent the City of Spring Valley or any public utility from performing necessary maintenance and repair activities which may affect trees located on or over public property or utility easements.

~~(Ordinance 2017-06 adopted 2-28-17)~~

§ 3.1007 Penalty

~~(1) Any person, firm, partnership, association, corporation, company, or organization of any kind who or which intentionally, knowingly, recklessly, or with criminal negligence violates any of the provisions of this article shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall, in addition to any other fines allowed under this article, be fined in accordance with the general penalty provision found in Section 1.106 of this code. Each day during which such violation shall exist or occur shall constitute a separate offense.~~

~~(2) The owner or owners of any property or of premises where any violation of this article shall occur, and any agent, contractor, builder, architect, person, association, organization, or corporation who shall assist in the commission of such offense shall be guilty of a separate offense, and, upon conviction thereof, shall be punished as above provided."~~

~~(3) All penalties and fines assessed under this article shall be paid into the Tree Fund.~~

~~(4) Compliance. Violators of this section will be required to come into compliance within 60 days, unless a variance has been approved by the City. Compliance with this article may be grounds for withholding of other related pending permits for the project by the City.~~

~~(5) Enforcement. The City shall have the power to administer and enforce the provisions of this article as may be required by governing law. Any person violating any provision of this article is subject to a stop work order, suit for injunctive relief, and/or prosecution for criminal violations. Any violation of this article is hereby declared to be a nuisance. Any violation of this article may serve as grounds to withhold or delay issuance of other permits and revocation of a certificate of occupancy.~~

~~(6) Civil remedies. Nothing in this article shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this article and to seek remedies as allowed by law, including but not limited to the following:~~

~~(A) Injunctive relief. Injunctive relief to prevent specific conduct that violates this article or to require specific conduct that is necessary for compliance with this article;~~

Commented [PB2]: Agreed on the penalties and fines.

~~(B) Civil penalty. A civil penalty up to \$500.00 a day to be deposited in the City Tree Fund, when it is shown that the defendant was notified of the provisions of this article and after receiving notice committed acts in violation of this article or failed to take action necessary for compliance with this article, and other available relief; and~~

~~(C) Stop work order. In the event work is not being performed in accordance with this article, the City shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect.~~

(Ordinance 2017-06 adopted 2-28-17)

§ 3.10081008 TREE FUND

~~(1) A fund is hereby created in which any/all permit fees, penalties, and fees-in-lieu paid to the City pursuant to the mandates of this article shall be deposited.~~

~~(2) The fund will be administered by the City Council who may designate this responsibility to the Tree Board and may be drawn upon to implement landscaping improvements on City parks, City controlled public right of way greenspaces, and other public land.~~

~~(23) The assets of the fund shall only be expended to purchase and plant new trees, plants, or landscaping in public parks, parkways, medians, and rights-of-way of public streets and upon the grounds of other public property of the City. Planting costs payable from the fund include the installation of related irrigation equipment and other measures necessary to protect and subsequent maintenance following planting. An amount not to exceed 20 percent of the fund balance at the beginning of each fiscal year may be expended to promote public awareness of the objectives of this article, including Earth Day, or Arbor Day programs for the distribution of sapling trees to the general public.~~

~~(34) The assets of the fund may be expended to hire or contract with a Certified Forester, landscape architect, or Arborist to help with enforcement, inspections and reviews as well as to promote public awareness of the objectives of this article and may be used for necessary expenses, equipment, or contractual obligations related to the enforcement of this article.~~

§ 3.10091109 PROTECTED, QUALIFIED, AND HERITAGE TREES

(1) Protected Trees.

(A) Trees designated as Protected Trees under this article are considered to be highly desirable, and private landowners and developers are encouraged to preserve these trees through proper care and maintenance.

(B) An Arborist is recommended but not required for trimming on protected trees except all Oak species. Protected size trees of the Oak species will require an Arborist for trimming. ~~Trimming in excess of 25 percent of the canopy of a Protected Tree is prohibited at all times.~~

(C) If removal of a protected tree is desired, then the landowner or responsible party of existing lots and/or new development must request a permit for removal and they must provide replacement tree at a ratio of 1:1, or ~~fees-in-lieu~~ fees-in-lieu may be paid to the City Tree Fund in the amount equal to the cost of nursery stock required to replace the diameter amounts lost and the cost of installation on a per unit basis, ~~not to exceed~~ at a cost of ~~\$450.00~~ \$2100.00 per diameter inch lost or ~~20 percent of the current value of the property, not including any structures built upon the lot, as assessed in the most current county appraisals.~~ Trees within the construction footprint will be assessed at fifty percent of the total fee.

Commented [PB3]: As discussed – do all fees go to the tree fund?

Commented [PB4]: Does this need to be removed or refined? Should it be P&Z that acts as the Tree Board?

Commented [PB5]: Is there anything to add to this list of uses?

Commented [PB6]: Do we need similar language for Qualified Trees? There is no tree fund 1:1 for qualified at this time.

(D) Homeowners may offset costs by 100 percent with a tree replacement, non-resident developers may offset costs by 50 percent with a tree replacement but are subject to pay the remaining fee, and commercial developers allowed 40 percent offset with planting and then are subject to pay the remaining fees.

(2) Heritage Trees

(A) Trees designated as Heritage Trees under this article are hereby prohibited from removal, considered to be extremely desirable to the City and its residents and are to be trimmed or removed only under the highest scrutiny.

(B) An Arborist is required for all trimming on Heritage Trees. ~~Trimming in excess of 25 percent of the canopy of a Heritage Tree is prohibited at all times.~~

(C) Property owners, residents, and developers who wish to remove a Heritage Tree must, through the Permit Process, show that there is no other reasonable alternative request a variance and must show proof that there is substantial reason to remove a Heritage Tree. Placement of a desired structure is not considered to be reason enough to remove a Heritage Tree.

(D) ~~If a removal variance is granted, a replacement must be provided at a ratio of 1:1, or Fees-in-lieu may be paid to the City Tree Fund in the amount equal to the cost of nursery stock required to replace the diameter amounts lost and the cost of installation on a per unit basis, not to exceed at a cost of \$1500.00 per diameter inch lost or 20 percent of the current value of the property, not including any structures built upon the lot, as assessed in the most current county appraisals. Trees within the construction footprint will be assessed at fifty percent of the total fee.~~

(E) Homeowners may offset costs by 100 percent with a tree replacement, non-resident developers may offset costs by 50 percent with a tree replacement but are subject to pay the remaining fee, and commercial developers allowed 40 percent offset with planting and then are subject to pay the remaining fees.

(3) Qualified Trees.

(A) Trees designated as Qualified Trees under this article are considered to be highly desirable, and private landowners and developers are encouraged to preserve these trees through proper care and maintenance.

(B) An Arborist is recommended but not required for trimming on qualified trees except all Oak species. Qualified size trees of the Oak species will require an Arborist for trimming.

(C) If removal of a Qualified tree is desired, then the landowner or responsible party of existing lots and/or new development must request a permit for removal and they must provide replacement tree at a ratio of 1:1, or fees-in-lieu may be paid to the City Tree Fund in the amount equal to the cost of nursery stock required to replace the diameter amounts lost and the cost of installation on a per unit basis, at a cost of \$450.00 per diameter inch lost. Trees within the construction footprint will be assessed at fifty percent of the total fee.

(D) Homeowners may offset costs by 100 percent with a tree replacement, non-resident developers may offset costs by 50 percent with a tree replacement but are subject to pay the remaining fee, and commercial developers allowed 40 percent offset with planting and then are subject to pay the remaining fees.

(4) ~~Prohibited and Harmful Trimming Practices on Protected and Heritage Trees such as Lion Tailing and Topping, as defined in section 3.1001 of this article, may result in fines up to \$500.00 per Protected Tree and~~

Commented [PB7]: Did we want to drop this part?

~~§1,000.00 for each Heritage Trees harmed with these prohibited practices. If it is determined that the trimming will result in the death of the tree, then the provisions related to removal shall apply;~~

~~(4) Diagnosed Oak Wilt in Protected and Heritage Trees may result in their removal. If Oak Wilt is detected and it is substantial enough to warrant removal or has caused significant structure damage or death of large portions of the tree, as diagnosed by an Arborist, these trees are exempt from replacement requirements and removal fees imposed by the City. Residents are still encouraged to replace trees and the City offers financial assistance for replacement of trees lost due to Oak Wilt in section 3.1011.~~

§ 3.1010~~12~~ Penalty

~~(1) Any person, firm, partnership, association, corporation, company, or organization of any kind who or which intentionally, knowingly, recklessly, or with criminal negligence violates any of the provisions of this article shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall, in addition to any other fines allowed under this article, be fined in accordance with the general penalty provision found in Section 1.106 of this code. Each day during which such violation shall exist or occur shall constitute a separate offense.~~

~~(2) The owner or owners of any property or of premises where any violation of this article shall occur, and any agent, contractor, builder, architect, person, association, organization, or corporation who shall assist in the commission of such offense shall be guilty of a separate offense, and, upon conviction thereof, shall be punished as above provided.~~

~~(3) All penalties and fines assessed under this article shall be paid into the Tree Fund.~~

~~(4) Compliance. Violators of this section will be required to come into compliance within 60 days, unless a variance has been approved by the City. Compliance with this article may be grounds for withholding of other related pending permits for the project by the City.~~

~~(5) Enforcement. The City shall have the power to administer and enforce the provisions of this article as may be required by governing law. Any person violating any provision of this article is subject to a stop work order, suit for injunctive relief, and/or prosecution for criminal violations. Any violation of this article is hereby declared to be a nuisance. Any violation of this article may serve as grounds to withhold or delay issuance of other permits and revocation of a certificate of occupancy.~~

~~(6) Civil remedies. Nothing in this article shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this article and to seek remedies as allowed by law, including but not limited to the following:~~

~~(A) Injunctive relief. Injunctive relief to prevent specific conduct that violates this article or to require specific conduct that is necessary for compliance with this article;~~

~~(B) Civil penalty. A civil penalty up to \$500.00 a day to be deposited in the City Tree Fund, when it is shown that the defendant was notified of the provisions of this article and after receiving notice committed acts in violation of this article or failed to take action necessary for compliance with this article, and other available relief; and~~

~~(C) Stop work order. In the event work is not being performed in accordance with this article, the City shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect.~~

~~§ 3.1010 – TREE REMOVAL~~

Commented [PB8]: Agreed on the penalties and fines.

~~(1) All tree removals must go through a permit process separate from the tree trimming process. This is to determine the species, Protected Tree or Heritage Tree status, or if there is a public hazard or nuisance.~~

~~(2) Removal of Protected Trees should be avoided. In the case of bug infestation or disease, besides Oak Wilt, treatments should be pursued before removal if possible. Protected trees should be replaced following the procedures outlined in section 3.1000(A).~~

~~(4) Removal of trees listed in section 3.1004 (11) is permitted and no replacement procedure is required. The permit in this case is simply to establish the tree type.~~

~~(5) Residents are highly encouraged to use a licensed and insured tree care professional for all removals as they can pose a serious risk to life and property.~~

~~(6) All fees assessed under this section shall be paid into the Tree Fund.~~

**Exhibit A
Approved Tree List**

Species	Common Name	Botanical Name	
Ash	Green Ash	Fraxinus pennsylvanica	
	White Ash	Fraxinus Americana	
Birch	River Birch	Betula nigra	
Cedar	Eastern Red Cedar	Juniperus virginiana	
Cypress	Bald Cypress	Taxodium distichum	
	Montezuma Cypress	Taxodium mucranutum	
Elm	American Elm	Ulmus Americana	H
	Cedar Elm	Ulmus crassifolia	
	Lacebark Elm	Ulmus parvifolia	
	Winged Elm	Ulmus alata	
Hickory	Hickory species	Carya varieties	H
Magnolia	Southern Magnolia	Magnolia grandiflora	H
Maple	Drummond Red maple	Acer rubrum var. drummondii	H
	Trident Maple	Acer buergerianum	
Oak	Bur Oak	Quercus macrocarpa	H
	Chiquapin Oak	Quercus muehlenbergii	
	Durrand Oak	Quercus durrandii	
	Laurel Oak	Quercus laurifolia	
	Live oak	Quercus virginiana	H
	Mexican White Oak	Quercus polymorpha	
	Nuttall Oak	Quercus nuttallii	
	Overcup Oak	Quercus lyrata	
	Post Oak	Quercus stellata	
	Shumard Oak	Quercus shumardii	
	Swamp Chestnut Oak	Quercus michauxii	
	Water Oak	Quercus nigra	
	White Oak	Quercus alba	
	Pine Tree	Loblolly Pine	Pinus taeda
Longleaf Pine		Pinus palustris	
Pistache	Chinese Pistache	Pistacia chinensis	
Sweet Gum	American Sweet Gum	Liquidambar styraciflua	
Sycamore	American Sycamore	Platanus occidentalis	H
	Mexican Sycamore	Platanus mexicana	
Walnut	Black Walnut	Juglans nigra	H
Others	Anacua	Ehertia anacua	
	Basswood	Tilia Americana	
	Black Tupelo	Nyssa aquatic	
	Gum Bumelia	Bumelia lanuginose	
	Red Bay	Persea borbonia	

H = Heritage Tree Indicator

(Ordinance 2017-06 adopted 2-28-17; Ordinance 2020-16 adopted 4-28-20)

**Exhibit B
Approved Understory Tree List**

Fringe Tree	Chinese Fringe Tree	Chionanthus retusus
	Fringe Tree	Chionanthus spp
Hawthorn	Parsley Hawthorn	Crateagus marshallii
Holly	American Holly (tree form)	Ilex opaca
	Dahoon Holly	Ilex cassine
	East Palatka Holly	Ilex x attenuata "East Palatka"
	Possumhaw Holly	Ilex decidua
	Savannah Holly	Ilex x attenuata "Savannah"
Laurel	Cherry Laurel	Prunus caroliniana
	Mexican Plum	Prunus Mexicana
	Texas Mountain Laurel	Sophora secundiflora
Magnolia	Little Gem Magnolia	Magnolia grandiflora 'Little Gem'
	Saucer Magnolia	Magnolia x soulangiana
	Sweet Bay	Magnolia virginiana
Maple	Chalk Maple	Acer leucoderme
Pistache	Texas Pistache	Pistacia texana
Redbud	Redbud	Cercis canadensis
Viburnum	Rusty Black-Haw	Viburnum rufidulum
Others	Hophornbeam	Carpinus caroliniana
	Flameleaf Sumac	Rhus spp
	Mexican Buckeye	Ungradia speciosa

(Ordinance 2017-06 adopted 2-28-17; Ordinance 2020-16 adopted 4-28-20)

EXHIBIT C

TREE PROTECTION FENCING

Required by Code of Ordinances
City of Spring Valley Village

DO NOT REMOVE!

FINE: \$100 OR MORE, JOB MAY BE SHUTDOWN, FOR PERMISSION FOR TEMPORARY REMOVAL CALL (713) 465-8308. TO REPORT VIOLATIONS, CALL (713) 465-8308.

CERCAS PARA PROTECCION de ARBOLES

Requerido por Código de Ordenanzas

POR FAVOR NO RETIRE EL LETRERO

MULTA DE: \$100 O MÁS, TRABAJO PUEDE SER TERMINADO, PARA PERMISO PARA REMOCION TEMPORAL LLAME: (713) 465-8308. PARA DENUNCIAR UNA INFRACCION LLAME: (713) 465-8308.

(Ordinance 2017-06 adopted 2-28-17)

Last 10 Tree Removals (New Construction)

	Heritage	C/F	Protected	C/F	Qualified	C/F
1	0	0	1	1	1	0
2	0	0	0	0	0	0
3	0	0	1	1	7	0
4	1	1	1	0	0	0
5	0	0	2	1	0	0
6	0	0	1	0	0	0
7	0	0	0	0	1	1
8	0	0	1	1	1	1
9	0	0	0	0	0	0
10	0	0	1	1	0	0
Total	1	1	8	5	10	2

*

Note:

* Trees to be removed have sustained damage from the past few storms. Removal was recommended by Forester.

Total Removed: 19

In Construction
Footprint: 8

Definitions: Not many college-educated urban foresters, but a lot of Certified Arborists around, maybe using the term "tree professional" could help.

Tree sizes recommended look good, have no issue with them due to them being straight to the point and not confusing.

Large existing trees have a hard time surviving major house construction.

Tree Permit required: Even though it does not require some trees to be removed due to them being a danger, it should still require a review from a tree professional, as a homeowner is not qualified to give such a determination.

Many Builders & property owners want to know which trees could survive construction.

Tree requirements and Tree Credits: Breakdown of tree requirements is easy to follow, as before, it was all lumped together.

Concerns with the tree credit section and would remove it all together reason being that if a tree that falls under a category is kept, then later it dies, they will fall under a nonconforming status due to that tree not living past construction. Removing section can avoid many issues down the road.

Tree Fund: Recommended that it not limit the use and make sure to include maintenance of City trees.

Fees: Fees are a bit high. Trees located in the footprint. Other cities have taken the approach of not charging but see no issues with recommending that trees located in the footprint be assessed at a 50% cost of the fee.

Tree List: Good choice to update the tree list with trees that are native to this location, and saw no issues.

Cary M. Morna
Consulting Forester

Pecan, Sycamore, & Sweetgum have a reputation as being messy trees.

Be careful, Bald or Montezuma Cypress should not be planted near sewer or water lines.

The hickory tree is not a good choice for Heritage tree replacement.

If a 12-inch caliper is required for a replacement tree.

The root ball would need to be at least 12 feet and about 20 inches deep.

That depends on how the tree is grown, either in large boxes or tree spade machines.

Environmental Design is the only local large tree replacement that I know that I have seen planted, generally 10-inch caliper trees, usually Live Oaks.

Cary Moran

Consulting Forester, B.S.

713-305-0601



**Spring Valley Village Planning and
Zoning Commission
Agenda Item Data Sheet**

MEETING DATE:	February 10, 2026
SUBMITTING STAFF:	Jose Gomez, Development Services Manager
SUBJECT:	DISCUSSION CONCERNING: Possible Amendments to the City of Spring Valley Village Code of Ordinances; Chapter 12, Planning and Zoning: Section 05:02.03.08 maximum lot coverage regarding clarification on artificial turf and allowable use.

BACKGROUND:	At the request of the Planning and Zoning Commissioner, <i>Chapter 12, Section 05:02.03.08</i> , has been put on the January 13th, 2026, agenda for further discussion.
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ATTACHMENTS:	05_02.03__Size_and_Area_Requirements_(2), Turf Data
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FUNDING:					
Amount Available	Account No.	Additional Appropriation Required	Project No.	Amount Budgeted	Account Description

RECOMMENDATION:	No action is required at this time. This is a discussion item.
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05:02.03 Size and Area Requirements:

In construing this Ordinance, all measurements shall be made to the property lines inclusive of any portion of easements within the property lines, so as that the area contained in any easement within the property lines shall be considered a part of the Lot in question for the purposes of determining building lines.

- .01 Minimum Lot Area: All residential Lots shall have a minimum Lot area of ten thousand (10,000) square feet with a minimum of nine thousand (9,000) square feet exclusive of easements.
- .02 Maximum height. No building or structure more than thirty-six feet (36') in height shall be erected in Dwelling District "A". (See also Building or Structure Height to setback ratio (3:5 below).)
- .03 Maximum stories. No building or structure more than two stories shall be erected in Dwelling District "A".
- .04 Reserved. (Ordinance 2006-05 adopted 3-28-06)
- .05 Reserved. (Ordinance 2006-05 adopted 3-28-06)
- .06 Minimum Floor Area Per Dwelling Unit. Each dwelling unit shall have a minimum ground floor, as that term is defined in this subsection, of fourteen hundred (1,400) square feet in area, exclusive of porches, garage, and laundry rooms. The ground floor of a dwelling unit is the living space area most proximate to the foundation slab or other support foundation, upon which such structure is located. (Ordinance 194)
- .07 Maximum Foundation Height. The foundation slab or other support foundation of a structure shall not exceed a height of four feet (4') above the average surrounding finished grade of the ground upon which such structure is located. (Ordinance 194)
- .08 Maximum Lot Coverage. The maximum coverage of any lot with any constructed surface shall not exceed sixty percent (60%) of the lot area located behind the required front building line, and shall not exceed fifty percent (50%) of the lot area located in front of the required front building line. "Constructed surface" shall include for computation of lot coverage buildings, garages, accessory buildings, patios, sidewalks, driveways, any area surfaced for automobiles, and other constructed surface areas, but shall exclude stepping stones, air conditioner supports, landscape border stones, wooden decks, and similar materials or structures. Provided, further, that the water surface area of a swimming pool shall not be counted as constructed surface in the computation of the maximum coverage of any lot, and that pavers (a.k.a. paver stones, brick pavers, or concrete pavers, however named) shall be counted as constructed surface in the computation of the maximum coverage of any lot. (Ordinance 2004-01 adopted 1-20-04)
- .09 Building line setbacks: (Ordinance 231)
 - .09.01 General: The following restrictions shall apply to all construction of or addition to new or pre-existing buildings, dwellings, garages, and accessory use buildings.
 - .09.02 Front building line setbacks:
 - .09.02.01 Adjoining a local or collector street. For a lot fronting a local or collector street having a right-of-way width of sixty feet (60'), the minimum front building line setback shall be twenty-five feet (25'). For a lot fronting a local or collector street having a right-of-way width of fifty feet (50'), the minimum front building line setback shall be thirty feet (30'). (Ordinance 2007-05 adopted 3-20-07)
 - .09.02.02 Adjoining a Major Thoroughfare. For a lot adjoining a major thoroughfare, other than Westview Drive, the front building setback line shall be twenty-five feet (25'). All garages facing a major thoroughfare must be setback a minimum of thirty-eight feet (38'), measured from the inside edge of any public sidewalk nearest the associated front property line.

Lots Adjoining Westview Drive. Except as provided herein, for a lot adjoining and facing Westview Drive the front building setback line shall be twenty-five feet (25'); provided, however, for a lot adjoining and facing Westview Drive on the north side of Westview Drive between Bracher Street and Bingle Road, the front building setback line shall be forty feet (40'). All garages must be setback a minimum of thirty-eight feet (38') from the inside edge of any public sidewalk nearest the associated front property line, subject to the provisions of Section 05:02.01.04. (Ordinance 2018-27 adopted 10-23-18; Ordinance 2019-12 adopted 5-21-19; Ordinance 2019-14 adopted 6-25-19)

- .09.02.03 Adjoining a Cul-de-sac turnaround. For a lot fronting the turnaround portion of a cul-de-sac, the minimum front building line setback shall be twenty feet (20'). (Ordinance 2007-05 adopted 3-20-07)
- .09.02.04 Setback Adjustment. If a lot fronts a right-of-way of less width than the minimum required in the City's Subdivision Development Ordinance or the City's Street and Thoroughfare plan, there shall be added to the setback additional footage to compensate for the deficit, in order to preserve setbacks and the alignment of homes.
- .09.02.05 Pre-existing lot. If the pre-existing lot depth is less than the minimum depth required by the City Subdivision Development Ordinance, the front building line setback shall not be less than the setback shown on the pre-existing recorded plat, but in no event less than twenty-five feet (25').
- .09.03 Side building line setback.
 - 09.03.01 Adjoining another lot. For adjoining side property lines, the side building setback shall be not less than eight feet (8'). Where a side property line adjoins the rear property line of adjacent property, the side yard setback for the second story shall be not less than fifteen feet (15'). (Ordinance 2006-05 adopted 3-28-06)
 - .09.03.02 Adjoining a local or collector street. Adjoining a local or collector street right-of-way the minimum side building line setback shall be fifteen feet (15').
 - .09.03.03 Adjoining a major-thoroughfare. Adjoining a major-thoroughfare the minimum side building line setback shall be twenty-five feet (25').
 - .09.03.04 Setback adjustment. If a side lot line adjoins a right-of-way of less width than the minimum required by the City's Subdivision Development Ordinance or the City's Street and thoroughfare plan, there shall be added to the setback additional footage to compensate for the deficit, in order to preserve setbacks and the alignment of homes.
 - .09.03.05 Removed by Ordinance 2025-04 adopted 1-28-25.
- .09.04. Rear building line setback.
 - 09.04.01 Rear setback. For adjoining rear property lines, the rear building setback shall be not less than ten feet (10') for the first story, and not less than twenty five feet (25') for the second story. Where a rear property line adjoins the side property line of adjacent property, the rear yard setback shall be not less than ten feet (10'). (Ordinance 2006-05 adopted 3-28-06)
 - .09.04.02 Adjoining a local or collector street. Adjoining a local or collector street right-of-way the minimum required rear building setback shall be fifteen feet (15').
 - .09.04.03 Adjoining a major-thoroughfare. Adjoining a major-thoroughfare the minimum required rear building line setback shall be twenty-five feet (25').
 - .09.04.04 Setback adjustment. If a lot backs up to a right-of-way of less width than the minimum as required in the City's Street and Thoroughfare Plan there shall be added to the setback

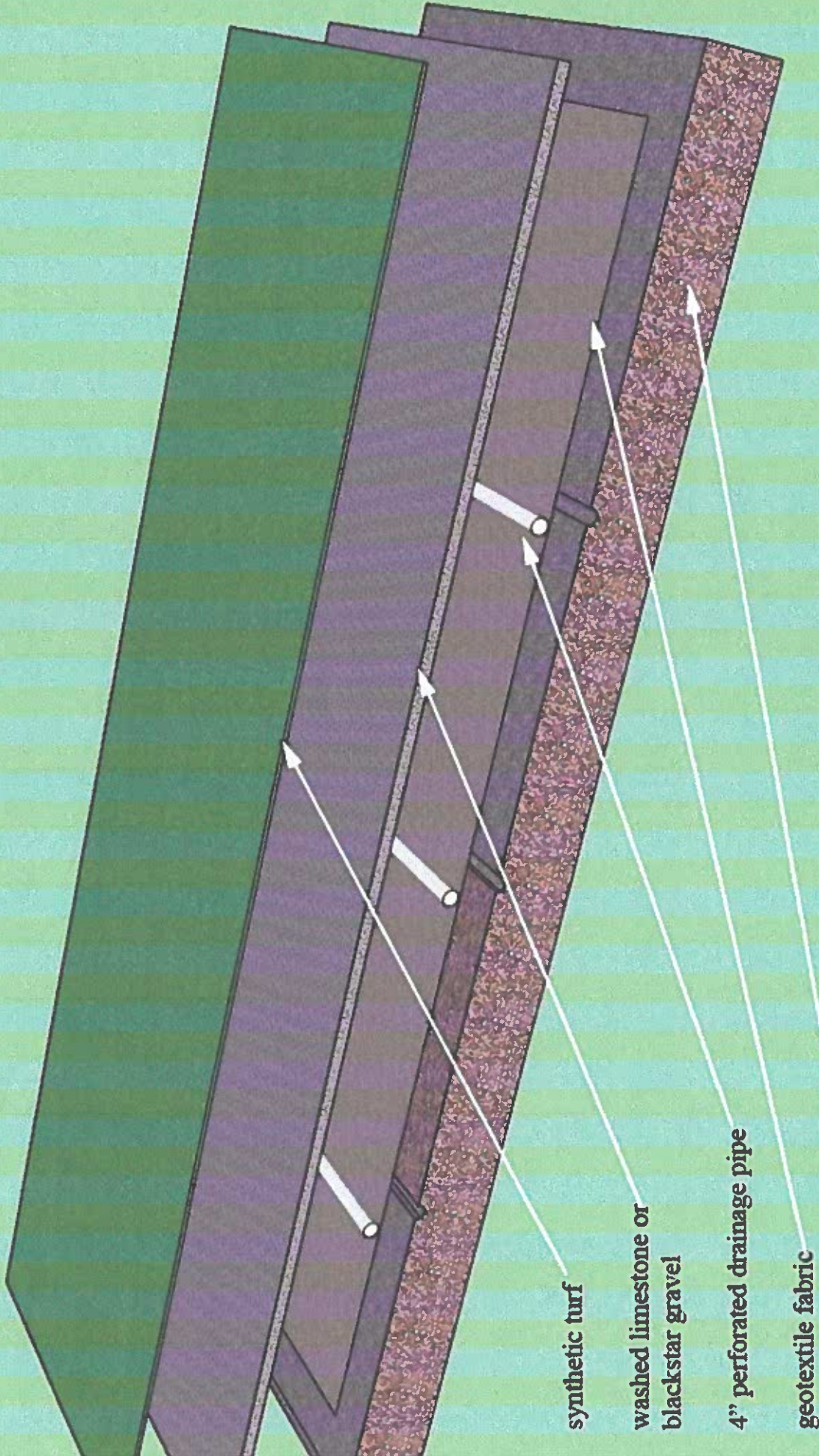
additional footage to compensate for the deficit, in order to preserve setbacks and the alignment of homes.

- .09.04.05 Pre-existing lot. If the pre-existing lot depth is less than the minimum depth required by the City Subdivision Development Ordinance, the rear building line setback shall not be less than the setback shown on the pre-existing recorded plat, but in no event less than ten feet (10').

.10 Driveway Width, Transition, and Separation.

- .10.01 Except as provided by subsection 10.04 below, the maximum driveway width at the line of intersection with the street pavement shall not exceed twenty-four feet (24'), plus the corner radii at each intersection and the maximum width of the driveway located within the right-of-way shall not exceed twenty-four feet (24').
- .10.02 Residential access ways, or curb cuts, shall meet or exceed the minimum standards set by the City. (See, e.g., Article 3.1200—Regulations for the Cutting of Streets).
- .10.03 No curb cut shall be located within twenty-four feet (24') of a street intersection.
- .10.04 Lots that are adjacent to Campbell Road or Bingle Road and a minor street shall have vehicular driveways connecting with the minor street only.
- .10.05 Where the driveway provides direct access to a garage containing more than two (2) parking spaces and the garage fronts a side-street, then the corresponding curb cut shall not exceed thirty-six feet (36').
- .10.06 Only one (1) curb cut is permitted per residence; provided, however, a second curb cut is permitted when connected to a circular driveway. Except as provided by subsection 10.04, the total width of all curb cuts per residence shall not exceed twenty-four feet (24') plus the corner radii at each intersection.
- .10.07 If more than one (1) curb cut (that is street transition) is constructed on the same lot, such curb cuts shall be separated (nearest edge to nearest edge as measured along the street curb) by a minimum distance of at least twenty feet (20'). The driveways corresponding to the two (2) curb cuts must interconnect as a circular driveway, and at least one (1) curb cut must correspond to a driveway to the dwelling unit's garage or alternative enclosed vehicle parking space.
- .10.08 A parking pad is permitted only if it is contiguous to the driveway, it is a paved surface, and it is located entirely outside the City right-of-way.
- .10.09 It shall be unlawful for any person to cause or permit the placement or construction of a vehicular driveway, or any portion thereof, which violates the provisions of this section.

(Ordinance 2013-03 adopted 2-26-13; Ordinance 2019-12 § 3 adopted 5-21-19)



Green Links Inc.
www.greenlinksinc.com
713-932-9997

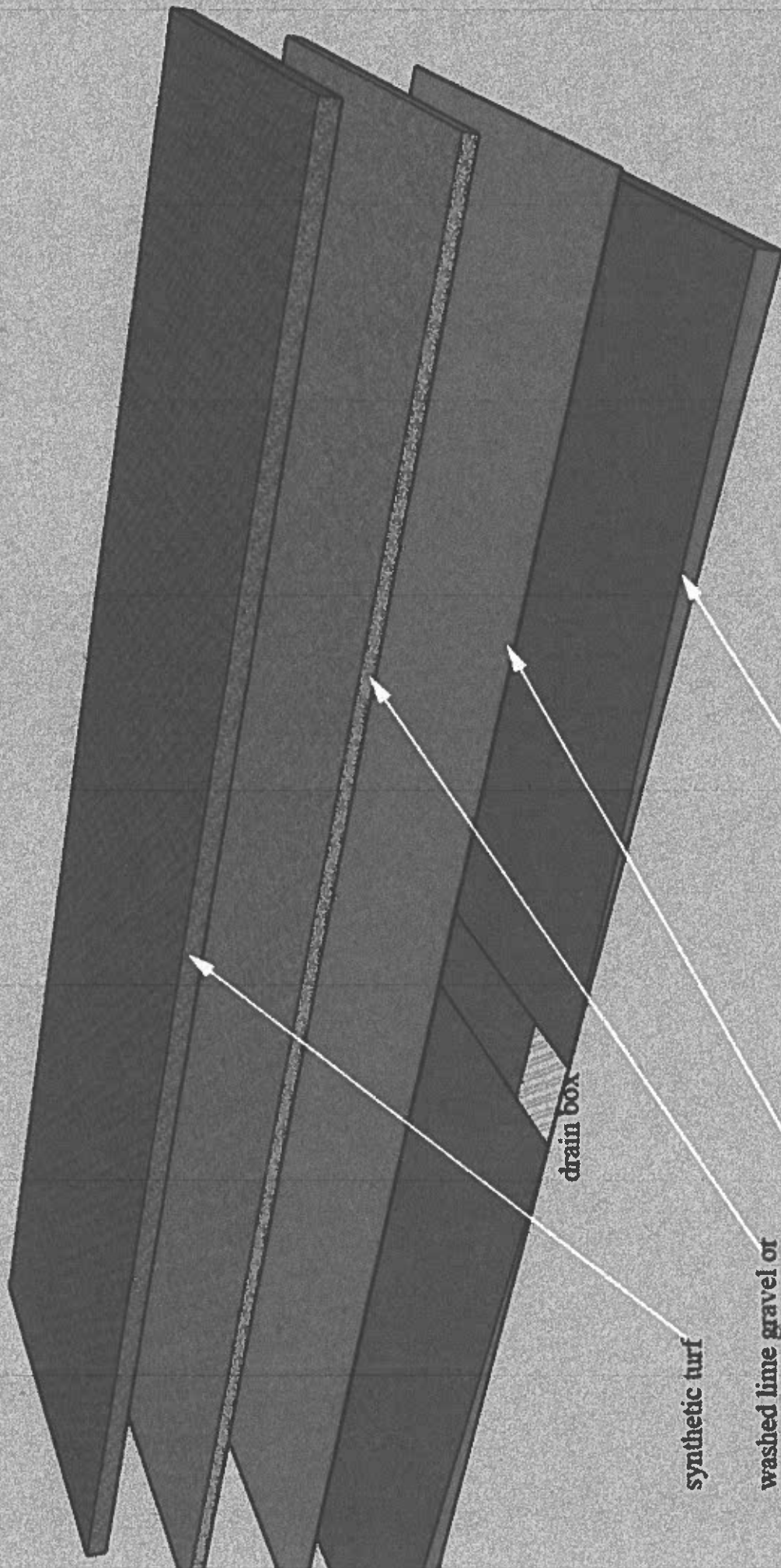
synthetic turf

washed limestone or
blackstar gravel

4" perforated drainage pipe

geotextile fabric

existing soil



drain box

synthetic turf

washed lime gravel or
blackstare gravel

geotextile fabric

existing soil graded to drainage box/system

Green Links Inc.
www: greenlinksinc.com
713-932-9997

June 11, 2009

Mr. Terry Westbrook
Green Links
P.O. Box 19136
Houston, Texas 77224

Re: Permeability Test for Synthetic Turf Base Materials
Gessner Engineering Job No.: 09-0204

Dear Mr. Westbrook:

At your request, Gessner Engineering performed permeability tests on three samples of crushed rock in order to evaluate and document the permeability of the sub base materials for use in the construction of synthetic turf lawns and putting greens. The samples of material were provided by Green Links. The three samples tested were:

- 3/8" diameter decomposed granite rock
- 1/2" crushed limestone
- 1 1/2" crushed limestone

The permeability test ran was ASTM D 2434 Constant head permeability. It is performed by placing the material in a mold that is the same mold used in the ASTM D698 Compaction test. Since there was not enough material to do the compaction curve we recorded the weight of material. The sample was prepared by tamping the crushed rock and vibrating it to simulate the placement of rock in the field.

The coefficient of permeability (k) can be computed from $k=QL/thA$ in which:
t= elapsed time
Q= total quantity of water which flowed through in elapsed time
L= length of soil sample in permeameter
h= total head lost
A= cross-sectional area of permeameter

Each test was performed four times in order to develop an average using the Falling Head Test Method. The results are:

Sample	Results (cm/sec)	(in/hr)
3/8" Decomposed Granite	0.0012	1.7
1/2" Crushed Limestone	0.0031	4.39
1 1/2" Crushed Limestone	0.0086	12.19

In comparison, fat clays would have a permeability of $0.0000001.0 \text{ cm}^2/\text{sec}$.
In this case, the samples tested are essentially free flowing.



**Gessner
Engineering**

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2204 S. Chappell Hill St.

Brenham, Texas 77833

979.836.6855

FAX 979.836.6847

It has been a pleasure to provide you this service. If we may be of further assistance, or if you have any questions please contact us at your convenience.

Sincerely,
GESSNER ENGINEERING, LLP F-7451

Philip N. Buchanan
Philip N. Buchanan, Ph.D., P.E.

