

**Ordinance 2020-11, An Ordinance to Amend Title XV, Chapter 151, of the Town of Collierville Code of Ordinances by Amending §151.003 Definitions and § 151.265 through § 151.273 Related to Tree Protection, Grading, and Landscaping.**

**EXHIBITS**

1. Ordinance 2020-11, with Attachments A and B (11/20/20)
2. 1999 Settlement of Lawsuit Over Tree Ordinance and Town’s Version of the Tree Ordinance at Time of Settlement
3. Map Showing Collierville’s Existing Tree Canopy (2013)
4. Example of New Tree Survey Format (11/20/20)

Mr. Jaime Groce gave the staff presentation. He explained that the goal of this effort is the help the community to be more effective at preserving and expanding existing tree canopy cover while also recognizing regulatory constraints in State Law and from a 20-year old lawsuit about the town’s tree ordinance. This amendment would improve oversight of existing tree removal from properties over one acre in size outside of site plan and/or subdivision process. It will better synchronize tree removal, grading permit, stormwater regulations and design guidelines of the HDC and the DRC. It will establish the minimum tree density requirement that would apply evenly and consistently to all development types and to provide an incentive for saving large specimen trees and will codify tree preservation and landscaping practices of the Town used over the past two decades.

The Ordinance is in “90% draft” format and needs further review by PC, staff, Town Attorney, and stakeholders before a recommendation is made to the BMA. The PC should defer the Ordinance 2020-11 to the January 7, 2021 PC meeting.

He gave background information used for the amendments and how it will affect applicant’s projects and preserve the Town’s tree canopy and the entire Shelby County. In the past twenty years the Town has focused on saving existing trees where we can, and requiring new plantings to replace trees that were removed with a tree mitigation ratio. The new formula would allow developments to keep good specimen trees and three plant 2 inch or greater trees based on larger trees that are saved.

He reviewed the next steps for the resolution and the example motion contained in the staff report.

Chairman Cotton asked if there were any questions for staff.

Commissioner Goddard asked if the 14 trees per acre rule applies to projects regardless of the zoning, such as commercial versus residential. He doesn’t see any local commercial business owners on the Stakeholder list and he would encourage staff to seek out their opinions and how these changes will affect their projects.

Mr. Groce stated that staff will make sure to reach out to some local business owners and that yes, the changes will apply to both zonings and it will be broken down by uses.

A discussion ensued regarding the sizes of the trees to be removed and saved, liability issues involved in inspections of the trees that can be saved, and justification for claiming the Agricultural Use exemptions for clear cutting trees.

Hearing no further discussion, Chairman Cotton called for a motion.

*Motion by Commissioner Given, and seconded, to defer Ordinance 2020-11 (Exhibit 1) to the January 7, 2021, meeting of the Planning Commission.*

Hearing no further discussion, Chairman Cotton asked Mrs. Michael to call the roll.

**Roll call:**

Rozanski – yes, Given – yes, Jordan – yes, Gilbert –yes, Marshall – yes, Johnson – yes, Goddard – yes, Cotton - yes.

**Motion Approved.**

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**Other Business:**

Chairman Cotton asked if there was any Other Business.

Mr. Groce reminded the commissioners about their training for the year and the links that staff has sent out to the commissioners for them to view at home before the end of the year.

Hearing no further business, Chairman Cotton adjourned the meeting at 7:13 p.m.

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Secretary, Commissioner Jeremy Given