



City of Burleson

REQUEST FOR QUALIFICATIONS

Reference Number: #2020-003

Project Title: Zoning Ordinance Update

Qualification Due Date: 3:00 P.M.(CST), 17 August 2020

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Request for Qualification

Date: July 17, 2020

RFQ #:2020-003

From: Justin Scharnhorst, Purchasing Manager, City of Burleson
jscharnhorst@burlesontx.com

1. INTRODUCTIONS: City of Burleson requests an immediate qualification for Vendor(s) “**The City of Burleson, Texas is interested in engaging talented professional services to update our Zoning Ordinance in conjunction with the Development Services staff and City leadership.**”

QUALIFICATION DUE NO LATER THAN 17 August, 2020 @ 3:00 P.M.

2. PAYMENT TERMS: Payment Terms for the City of Burleson are net 30 days after the City’s receipt of the Vendor’s invoice(s). Vendor should perform all services and provide all products, as determined by the City, prior to issuing the invoice(s). All charges are to be less sales tax as the City is sales tax exempt. Vendor’s invoice must include:

- A. Name, address, telephone number, and fax number of vendor
- B. Name of requesting department
- C. Job site location (if applicable)
- D. Itemized description of services and/or product
- E. City’s Purchase Order number
- F. City’s RFQ number referenced above

Mail invoices directly to: Accounts Payable
City of Burleson
141 West Renfro
Burleson, TX 76028
or
via email to finance@burlesontx.com

Payment will be processed after requesting department notifies Finance that **all** services are satisfactorily performed and/or products are received in the expected condition from the Vendor. ***All submitted Qualification must be accompanied by a signed and completed Form CIQ. Qualification received without this form may be considered ‘non-responsive.’***

3. CERTIFICATION OF AGREEMENT: Please indicate below that vendor’s Agreement will be subject to and comply with all applicable federal, state, and local laws, ordinances, rules and regulations.

☐ **Yes, We agree**

☐ **No, We do not agree**

4. INSURANCE: The Vendor, consistent with its status as an independent contractor, shall carry, and shall require any of its subcontractors to carry, at least the following insurance in such form, with such companies, and in such amounts (unless otherwise specified) as City may require:

4.1. Worker’s Compensation and Employer’s Liability insurance, including All States Endorsement, to the extent required by federal law and complying with the laws of the State of Texas;

4.2. Commercial General Liability insurance, including Blanket Contractual Liability, Broad Form Property Damage, Personal Injury, Completed Operations/Products Liability, Premises Liability, Medical Payments, Interest of Employees as additional insureds, and Broad Form General Liability Endorsements, for at least One Million Dollars (\$1,000,000) Combined Single Limit Bodily Injury and Property Damage on an occurrence basis;

4.3. Comprehensive Automobile Liability insurance covering all owned, non-owned or hired automobiles to be used by the Contractor, with coverage for at least One Million Dollars (\$1,000,000) Combined Single Limit Bodily Injury and Property Damage.

APPENDIX A – SCOPE OF SERVICES

RFQ# 2020-003

1. SUBMITTING VENDOR INFORMATION:

Vendor Company Name: _____ Date: _____

Texas Certified Vendor # (CMBL): _____ HUB: Yes No (*circle one*)

Vendor Physical Address: _____

Vendor Mailing Address: _____

Owner Name (please print): _____ TIN: _____

Owner Phone: _____ Owner Email: _____

2. SCOPE OF SERVICES:

The City of Burleson is requesting Statements of Qualifications (SOQs) from qualified, multidisciplinary professionals in the fields of urban planning, architecture, historic preservation, Form Based Codes, community development and computer visualization to assist in the preparation of a new Zoning Ordinance and design guidelines.

The current Zoning Ordinance was adopted 2010, and has been amended periodically from time to time. In its current form, the Ordinance fails to meet the City's needs in several areas. It is a conventional use based, "Euclidean" model ordinance that segregates uses and offers little guidance on how streets and buildings will function, and on the form or human interaction elements of neighborhood development. The City desires professional planning and zoning assistance to explore and develop a practical and useable hybrid ordinance that incorporates the goals identified in the City's Comprehensive Plan update effort, currently underway.

The City's Comprehensive Plan identifies 20 goals for Burleson's future. The plan outlines a general growth and development vision for the City and several specific goals with certain recommendations intended to assist in the accomplishment of that goal. Staff has included our draft Comprehensive Plan goals still under consideration by the City Council, which should be adopted by the time the contract is really underway.

An initial Diagnostic Report was prepared by a previous consultant in 2016. The diagnostic report has provided staff the data to move forward with the Comprehensive Plan efforts and the start of the Zoning Ordinance update.

The following professional planning services and general scope of work is anticipated. However, consultants are encouraged to expand on this description and to suggest alternative approaches they believe will better achieve the City's objectives within budget:

2.1 Initial Review and Analysis. The previous consultants worked with the Planning Commission, the Zoning Administrator, the City Manager and the City Council in a thorough review of the current Zoning ordinance and prepared a Zoning Diagnostic Report. The primary purpose is to update the Zoning Ordinance to current industry standards and make it more useful for staff and the development community. The Zoning Diagnostic report is a checklist to start getting the City of Burleson to those items noted above.

2.2 Stakeholder Interviews and Charrette. This element will involve key community stakeholders in a series of interviews to communicate community goals and to gain a better understanding of stakeholder objectives and concerns. These sessions will also be used to educate and inform residents, land owners, developers and others about the advantages and challenges of a form-based approach at specific nodes in the Transit Oriented Development and possibly the Old Town Overlay District. It is expected that as the stakeholder interviews

proceed, the consultant will maintain frequent and complete communication with the City staff.

The consultant and staff will host a visioning charrette intended to move from general visions to specific form-based recommendations including street type, neighborhood type, building form, liveable neighborhoods, pedestrian connections and design strategies. These will be developed in concept, based on the overall vision of the City and will form the basis for the actual ordinance. The goal of the charrette process will be to form a consensus among participants concerning practical neighborhood, street and building form for general areas of Burleson.

2.3 Zoning Code. The consultant will work with the Planning and Zoning Commission, City Council and staff to develop the initial and final draft of an updated Zoning ordinance. This process will involve several steps including resolution of the final form of the ordinance, development of key definitions and general provisions, creation of ordinance graphics and finally regulatory language. The City will expect advice from the consultant in working with the staff on the most effective form for the regulatory structure incorporated in a hybrid ordinance. Thus, some elements of the ordinance regulatory structure may be more effectively handled in such guideline documents and the consultant will be expected to provide advice on the most effective means to incorporate this approach and to develop such advisory texts or patterns that will preserve the best of the City of Burleson and create more vibrant places; with a focus on urban form. The City anticipates a user-friendly and realistic ordinance, rich in graphics and illustrations that is practical and responsive to existing conditions and the City's Comprehensive Plan goals and objectives.

It is expected that the consultant will be responsible for the assembly of the initial and final draft, but some tasks may be delegated to city staff under the direction of the consultant. A key element of this process must be the on-going involvement of the City staff. In addition, the consultant may revisit with stakeholders or charrette participants to test concepts and approaches to assure that the emerging document is at once responsive to the overall vision, yet practical in its application.

2.4 Presentation. The presentation sessions will be structured as informal, open houses including story-board or other presentation formats to introduce the draft document and to explain how it varies from the current and how it supports the goals of the Comprehensive Plan to a selected group of stakeholders and the public. . The form of the open house will be at the direction of the consultant, but the City desires a brief synopsis of the draft ordinance which may be prepared as a hand-out for open house attendees. Following these meetings, the consultant will confer with the City's planning team to resolve any major issues on the draft. Remaining implementation tasks will be completed by the consultant. Final adoption of the ordinance will be the responsibility of the City staff.

2.5 Deliverables. The consultant will be expected to provide the draft ordinance and final ordinance and all graphics and, the synopsis and any hand-outs used in public meetings electronic form. In addition, all text produced through this assignment will be provided in "hard copy" and electronic form.

3. GENERAL INFORMATION:

The City of Burleson reserves the right to accept or reject any or all qualifications and to accept only those qualifications that are in the best interest of the City. There is no expressed or implied obligation for the City to reimburse responding firms for any expenses incurred in preparing responses to this request. There is no expressed or implied obligation for the City to assign any project to selected firms during the active term. . The City reserves the right to retain all responses and to use any ideas included in a response regardless of whether that response is selected. Submission of a response indicates acceptance by the firm of the conditions contained in this request for qualifications (RFQ), unless clearly and specifically noted in the response and confirmed in the contract between the City and the firm selected. Each responding firm certifies by submission of their qualifications that neither it nor its principals are presently debarred, suspended, proposed for debarment declared ineligible, or voluntarily excluded from participation in this transaction by any Federal, state, or local, department or agency. Respondents must possess the required professional license(s) to practice in Texas and the Firm must be registered with the State of Texas.

4. PROPOSAL FORMAT:

The SOQ shall include a **one-page** cover letter plus a maximum of thirty-five (35) pages to address the SOQ criteria specified herein (including resumes). The table of contents and divider pages (not required) **will** count towards the total page count. The cover letter, front and back covers, and certificate of insurance **will not** count towards the total page count.

Qualification must be submitted electronically through Bonfire and received by **17, August, 2020 at 3:00 p.m.** Please visit <https://burlesontx.bonfirehub.com/login> and register for this free service. Once an account is created, the qualification can be submitted electronically via Bonfire by selecting the appropriate Qualification Identification and following submittal instructions.

Compliance with HB 89: Proposer agrees per HB 89 vendor shall not boycott Israel at any time while providing products or services to the City of Burleson.

☐ **Yes, we agree** ☐ **No, we do not agree** ☐ **N/A**

Compliance with SB 252: Proposer agrees per SB 252 vendor shall not do business with Iran, Sudan or a foreign terrorist organization while providing products or services to the City of Burleson.

☐ **Yes, we agree** ☐ **No, we do not agree**

5. SELECTION:

The consultants will be selected in accordance with Professional Services Procurement Act, Section 2254.004, Texas Code: In procuring professional services, a government entity shall:

- a) First select the most highly qualified provider of those services on the basis of demonstrated competence and qualifications; and
- b) Attempt to negotiate with that provider a contract at a fair and responsible price.

Information included within the SOQ may be used to evaluate your firm as part of any criteria regardless of where that information is found within the SOQ. Information obtained from the SOQ and from any other relevant source may be used in the evaluation and selection process.

Lobbying of selection committee members, City Staff or City Council Members will not be permitted or tolerated during the RFQ process.

6. EXPECTANCIES:

A response to this solicitation is an offer to enter into negotiations and contract with the City based upon the terms, conditions, and specifications contained in the City's solicitation.

6.1. CIQ Form: Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person's affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filed with the records administrator (or designee) of the City of Burleson not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

6.2. Insurance: ALL RESPONDENTS must submit proof of insurance with the SOQ. Proof shall be by submission of copies of current policies or current Certificates of Insurance, including the effective dates of coverage. Upon selection, the City of Burleson shall be listed as an Additional Insured.

6.3. Cover Letter: The cover letter should be signed by a member of the consulting firm empowered to commit the firm to a contractual arrangement with the City. The cover letter should also identify the firm submitting the proposal and any sub-consultants that may be proposed. It should generally outline your understanding of the assignment.

6.4. Work Approach and Timeframe: Present a detailed description of the work you propose to fulfill the requirements of this request for proposal. For each task, describe the activity, the intended results, any work or activity you assume will be conducted by the City and an anticipated timeframe for completion.

6.5. Professional Staff: Describe which individual professionals would work with the City, their respective roles in the project and provide professional resumes of each key member of the project team.

6.6. Qualifications and References: Provide descriptions of at least four recent prior experience/projects with other clients, which is relevant to the challenges of this assignment. For each project, include the name, title and phone number of a representative that the City may contact to discuss your experience. Please also provide a listing of your team members that worked on the projects.

7. EVALUATION OF PROPOSALS:

The City will evaluate all submitted proposals based on the responsiveness of the work approach proposed, the qualifications of the staff that will work with the City, the overall qualifications of the firm and the fees. Specifically, the City is seeking consultants with the following capabilities and experience:

1. Cover Letter: 5%
2. Work Approach/Timeframe: 25%
3. Staff Expertise: 30%
4. Qualifications/References: 30%
5. Past experience with the City 10%

The City may schedule oral interviews with some or all of the firms responding and, in that event, the outcome of such interviews may influence the evaluation of proposals.

Appendix B – Form CIQ

INFORMATION REGARDING VENDOR CONFLICT OF INTEREST QUESTIONNAIRE

WHO: The following persons must file a Conflict of Interest Questionnaire with the City if the person has an employment or business relationship with an officer of the City that results in taxable income exceeding \$2,500 during the preceding twelve – month period, or an officer or a member of the officer’s family has accepted gifts with an aggregate value of more than \$250 during the previous twelve – month period and the person engages in any of the following actions:

1. contracts or seeks to contract for the sale or purchase of property, goods or services with the City, including any of the following:
 - a. written and implied contracts, utility purchases, purchase orders, credit card purchases and any purchase of goods and services by the City;
 - b. contracts for the purchase or sale of real property, personal property including an auction of property;
 - c. tax abatement and economic development agreements;
2. submits a bid to sell goods or services, or responds to a request for proposal for services;
3. enters into negotiations with the City for a contract; or
4. applies for a tax abatement and/or economic development incentive that will result in a contract with the City

EXCLUSIONS: A questionnaire statement need not be filed if the money paid to a local government official was a political contribution, a gift to a member of the officer’s family from a family member; a contract or purchase of less than \$2,500 or a transaction at a price and subject to terms available to the public; a payment for food, lodging, transportation or entertainment; or a transaction subject to rate or fee regulation by a governmental entity or agency.

WHAT: A person or business that contracts with the City or who seeks to contract with the City must file a “Conflict of Interest Questionnaire” (FORM CIQ) which is available online at www.ethics.state.tx.us and a copy of which is attached to this guideline. The form contains mandatory disclosures regarding “employment or business relationships” with a municipal officer. Officials may be asked to clarify or interpret various portions of the questionnaire.

WHEN: The person or business must file:

1. The questionnaire – no later than seven days after the date the person or business begins contract discussions or negotiations with the municipality, or submits an application, responds to a request for proposals or bids, correspondence, or other writing related to a potential contract or agreement with the City; and
2. A n updated questionnaire – within seven days after the date of an event that would make a filed questionnaire incomplete or inaccurate.

It does not matter if the submittal of a bid or proposal results in a contract. The statute requires a vendor to file a FORM CIQ at the time a proposal is submitted or negotiations commence.

WHERE: The vendor or potential vendor must mail or deliver a completed questionnaire to the Finance Department.

ENFORCEMENT: Failure to file a questionnaire is a Class C misdemeanor punishable by a fine not to exceed \$500. It is an exception to prosecution that the person files a FORM CIQ not later than seven business days after the person received notice of a violation.

NOTE: The City does not have a duty to ensure that a person files a Conflict of Interest Questionnaire.

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

OFFICE USE ONLY

Date Received

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

1 Name of person who has a business relationship with local governmental entity.

2 ☐ Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

☐ Yes ☐ No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

☐ Yes ☐ No

D. Describe each employment or business relationship with the local government officer named in this section.

4

Signature of person doing business with the governmental entity

Date

Adopted 06/29/2007

Appendix C: No Intent to Submit Form

If your firm has chosen not to submit a qualification for this procurement, please complete this form and submit to:

City of Burleson
Purchasing Division, Department of Finance
141 West Renfro
Burleson, Texas 76028
Phone: 817-426-9646

or

Via email to jschamhorst@burlesontx.com

Please check all items that apply:

- | | |
|---|---|
| <input type="checkbox"/> Do not sell the item(s) required | <input type="checkbox"/> Cannot provide Insurance required |
| <input type="checkbox"/> Cannot be competitive | <input type="checkbox"/> Cannot provide Bonding required |
| <input type="checkbox"/> Cannot meet specifications highlighted in the attached request | <input type="checkbox"/> Cannot comply with Indemnification requirement |
| <input type="checkbox"/> Job too large | <input type="checkbox"/> Job too small |
| <input type="checkbox"/> Do not wish to do business with the City of Burleson | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Cannot submit electronically | |

Company Name: _____

Authorized Officer Name (Please print): _____

Telephone: (____) _____ **Fax:** (____) _____

I learned of this Request for Qualification by the following means:

- | | |
|---|---|
| <input type="checkbox"/> City Advertisement | <input type="checkbox"/> City E-mail Notification |
| <input type="checkbox"/> Website | <input type="checkbox"/> Cold Call to City |
| <input type="checkbox"/> Mailed Me a Copy | <input type="checkbox"/> Other |
| <input type="checkbox"/> Bonfire | |



IMPLEMENT

2030 BURLESON

ZONING DIAGNOSTIC REPORT



Burleson
TEXAS

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Introduction

The following outline is intended to provide a summary of the major revisions to the City's existing zoning ordinance. The primary purpose of this zoning ordinance rewrite is to implement the Imagine Burleson comprehensive plan effort. The Imagine Burleson comprehensive plan identified the following 20 goals for Burleson's future; the bold goals are addressed within this Diagnostic Report:

Goal 1: Promote diverse land use options

Goal 2: Promote cultural venues in the City

Goal 3: Promote parks and open space conservation

Goal 4: Promote additional shopping, dining, and entertainment opportunities by developing focus areas

Goal 5: Promote a multi-modal street network that is pleasant and safe for pedestrians and bicyclists

Goal 6: Promote pedestrian friendly street designs and developments

Goal 7: Promote a variety of public transit options

Goal 8: Promote context sensitive street design concepts

Goal 9: Promote an enhanced physical environment in residential neighborhoods

Goal 10: Promote social sustainability in residential neighborhoods

Goal 11: Promote open space conservation

Goal 12: Sustainable built environment

Goal 13: Storm water management

Goal 14: Reduce air pollution

Goal 15: Promote a strategic economic development program in Burleson

Goal 16: Promote a diverse and viable economic base through a diverse and aesthetically pleasing built environment

Goal 17: Promote a proactive retention and recruitment process

Goal 18: Promote the importance of education and work force training to economic development

Goal 19: Promote a built environment that incorporates identification elements to create a unique image and a sense of place

Goal 20: Promote an aesthetically pleasing visual appearance in all elements of the City's physical appearance – individual buildings, neighborhoods and streets

The Imagine Burleson goals have been used as general guidelines for the process and specific goals have been highlighted with certain recommendations intended to work toward that goal.

It is also important to note that in recent years, municipal zoning regulations have transitioned from focusing on land uses toward focusing on building form and function. Additionally, many cities have recognized the importance of regulations that are easy to understand – emphasizing the use of graphics, tables, bullet lists, and plain English. We recommend integrating these concepts into Burleson’s new zoning ordinance to ensure that the new ordinance results in quality development and a user-friendly experience.

This outline has been developed based on the Imagine Burleson goals, input received from the local development community, City Staff, and City Council, as well as input from the consultant. The following list will guide the rewrite of the zoning ordinance and may not be all-inclusive of revisions to take place during the rewrite.

Formatting and Organization

1. Improve Style and User-Friendliness

Issue

In the current format, a user cannot quickly scan through the Zoning Ordinance to find information because the ordinance lacks subheadings, contains verbose wording, and a confusing organizational format. Additionally, the current ordinance contains antiquated land uses, has an insufficient list of permitted uses and inconsistent provisions of permitted and prohibited uses. Incremental amendments over time have resulted in inconsistencies and repetitive regulations throughout the ordinance.

Resolution

The zoning ordinance update should streamline the ordinance to make it more organized and user-friendly. The format should be structured more like an outline with subheadings for each paragraph. The following steps should be taken to improve the Zoning Ordinance format and provide readers with a better understanding of the Zoning Ordinance.

- Improve numbering system and layout
- Incorporate the use of more subheadings to increase the ability to scan
- Utilize bullet points or illustrations when possible
- Introduce a use chart matrix
- Use cross references to simplify navigation
- Update land uses
- Generalize land use categories to provide more emphasis on form/design

2. Update Table of Contents

Issue

The existing Table of Contents can be unclear regarding the contents of each article. For example, having two separate articles for zoning districts and overlay districts can cause confusion about which regulations apply. It is also unclear where to find procedures related to the zoning process. Additionally, the design standards for different zoning districts are not described in Appendix B (Zoning), it is in Appendix C, which is can be misleading.

Resolution

The following adjustments to the Table of Contents are proposed to better organize the zoning ordinance:

Article	Existing	Proposed
I	Administrative	Administrative
II	Definitions	Definitions
III	Zoning Districts	Districts, Uses, and Standards
IV	Overlay Zoning Districts	Procedures
V	Supplemental Regulations	-

Zoning Districts

3. Improve Provisions for Heavy Commercial/Light Industrial Uses in Certain Areas

Issue

Heavy commercial and light industrial uses are appropriate in some areas of the City, particularly along the IH-35W corridor. The permitted use regulations and design requirements should be updated to better accommodate these uses and encourage future businesses to locate in Burleson.

Resolution

The uses of the Central Commercial, Commercial, and Industrial Zoning Districts will be closely evaluated. Based on the evaluation, permitted uses may need to be adjusted to ensure target industries are allowed and reduce the likelihood of land use conflicts. The design standards related to heavy commercial/light industrial uses should also be evaluated and updated to establish two tiers of heavy commercial/light industrial development – higher quality (based on the existing High Point development) and a more cost-effective style allowing some metal buildings to encourage business development in certain locations. Site layouts should be required with the application process to achieve better design.

Imagine Burleson Reference(s)

Goal 1: Promote diverse land use options

Goal 16: Promote a diverse and viable economic base through a diverse and aesthetically pleasing built environment

4. Reduce the Need for Planned Development Districts

Issue

The City has many Planned Developments (PDs) in place, which can be an indication that the current standards in the base zoning districts do not adequately address the community's development needs. PDs should be used to allow development that is innovative and provides a higher quality of development than would be permitted through traditional zoning districts.

Resolution

The purpose of the PD district should be modified to reflect the desire for quality development and placemaking. It is recommended that the PD process be rewritten and reorganized, and a minimum size for PDs be considered. For example, the updated process should specify that a site plan including detailed landscape plans and architectural renderings is required for the PD district (note: the current process allows a preliminary plat to meet this requirement). Updates to the base districts should be targeted toward reducing the need for PD districts.

5. Integrate the Overlay Districts into Base Districts

Issue

The inconsistencies and deficiencies in the standards described for the overlay districts were identified as an issue during the diagnostic interviews. The current zoning code includes the following three overlay districts that strive for different purposes:

1. OT, Old Town Overlay District
 - a. Purpose: Preservation of history and culture
 - b. Regulations: Old Town Design Standards, uses, dimensions, parking, fences/screening, signs, outdoor seating
2. IH35 Overlay District (five specific areas and one general area)
 - a. Purpose: Development and Redevelopment of IH35 Corridor
 - b. Regulations: Uses, height, and outdoor display/storage
3. BP, Business Park Overlay District
 - a. Purpose: Provision of employment opportunity
 - b. Regulations: Removes certain standards (materials, fencing/screening, signs, and landscaping), uses, and dimensions

Imagine Burleson Reference(s)

Goal 16: Promote a diverse and viable economic base through a diverse and aesthetically pleasing built environment

Goal 20: Promote an aesthetically pleasing visual appearance in all elements of the City's physical appearance – individual buildings, neighborhoods and streets

Although architectural and development standards of these overlay districts are formed to serve the distinct purposes of these districts, they often conflict with the standards established in the base zoning district and creates confusion among the users. Additionally, there are some inconsistencies between the uses allowed through Specific Use Permit and the prohibited uses in the overlay districts.

Resolution

The Overlay Districts should be integrated as base districts to avoid confusion, simplify the development process, and ensure quality development in all districts of the City.

Land Use

6. Develop a Use Matrix

Issue

Currently the permitted and prohibited land uses are listed within each zoning district. This structure does not provide the users an opportunity to compare all the uses at the same time and requires additional navigation within the document. Additionally, the current land use descriptions do not provide adequate design-related standards for placemaking purposes.

Resolution

It is recommended that a “Use Matrix” be developed to present uses that are permitted by right, permitted by SUP, or prohibited in each district. Each land use should have a clear definition and be cross-referenced within the Use Matrix. Land uses should be generalized into broader categories that focus on scale and visual impact. Design standards should be developed for certain land use categories and incorporated or referenced within the Use Matrix. Links should be provided to special development standards related to certain uses.

Example of a Use Matrix

Legend for Use Chart		SF-8, Single-Family Dwelling District	SF-10, Single-Family Dwelling District	SF-40, Single-Family Dwelling District	2F, Two-Family Dwelling (Duplex) District	TH, Townhouse (Attached) Dwelling District	MF-16, Multiple-Family Dwelling District	MF-24, Multiple-Family Dwelling District	O, Office District	LR, Local Retail District	C, Commercial District	I, Industrial District	M, Mixed Use District
P	Permitted in district indicated												
	Prohibited in district indicated												
S	Permitted in district upon approval of a Specific Use Permit (SUP)												
P-#	Permitted if compliant with the corresponding numeric end note in Conditional Development Standards												
S-#	Permitted by Specific Use Permit (SUP) if compliant with the corresponding numeric end note in Conditional Development Standards.												
Residential Uses													
Assisted Living/Nursing Home							P	P	P				
Dwelling, Single-Family (Detached)		P	P	P									
Dwelling, Single-Family (Attached – Duplex)					P								P
Dwelling, Single-Family (Attached – Townhouse)						P							P
Dwelling, Multi-Family							P	P					P
Guest House/Servants' Quarters		P-1	P-1	P-1									
Industrialized Housing		P-2	P-2	P-2									P-2
Retirement Housing					P	P	P	P					P
Studio Residence													P
Nonresidential Uses													
Adult Day-Care Services									P	P	S		
Agricultural Use				P-3									
Ambulance Service											P	P	
Amusement, Commercial (Indoors)									P	P	P		P
Amusement, Commercial (Outdoors)										P-4	P-4	P-4	
Antique Shop										P	P		P
Art Gallery or Museum										P	P		P
Automobile Body Shop											P	P	S
Automobile or Other Motorized Vehicle Sales and Service											P-5	P-5	

7. Review the Land Use Classifications to Remove Conflicts, Modernize Terminology, and Clarify Procedures for Unlisted Uses

Many of the current land use classifications are conflicting and/or out of date. Additionally, the ordinance is unclear regarding procedures for new or unlisted uses. Some uses have grown in popularity over recent years, such as home occupations, breweries, and short-term residential rentals, and may require close evaluation.

Resolution

Conflicts should be removed, more modern terms should be utilized, and a procedure for new and unlisted uses should be clearly stated. Definitions should also be evaluated to ensure the intent is clear and impartial (focusing on the definition rather than regulations).

Imagine Burleson Reference(s)

Goal 1: Promote diverse land use options

Goal 16: Promote a diverse and viable economic base through a diverse and aesthetically pleasing built environment

8. Allow for Mixed Use Development

Issue

The current zoning ordinance does not provide adequate tools to encourage mixed use development. However, the goals referred in Imagine Burleson and the survey results indicate a strong desire among the residents for mixed use developments that help create interesting/vibrant places with increased walkability. However, these vibrant elements are difficult to achieve through traditional zoning.

Resolution

Develop a land use classification and design standards to allow for mixed use development by-right that promote distinct places and increased walkability.

Imagine Burleson Reference(s)

Goal 1: Promote diverse land use options

Goal 4: Promote additional shopping, dining, and entertainment opportunities by developing focus areas

Goal 6: Promote pedestrian friendly street designs and developments

Goal 10: Promote social sustainability in residential neighborhoods

Goal 12: Sustainable built environment

Goal 14: Reduce air pollution

Goal 19: Promote a built environment that incorporates identification elements to create a unique image and a sense of place

9. Clarify the Regulation of Expansion of Nonconforming Uses

Issue

The ordinance provides limited guidance regarding nonconforming uses. Additionally, the ordinance does not have specific instructions regarding the expansion of a nonconforming use within the property but outside of a building.

Resolution

In coordination with the City Attorney, the section regarding nonconformities should include more detailed requirements for the expansion and amortization processes. A timeframe should be established to specify when a nonconforming building/site/use needs to become compliant.

10. Protect the Floodplain

Issue

Land within the floodplain is particularly sensitive to development due to concerns such as water quality, erosion, wildlife habitat, and conservation of environmentally-sensitive areas. Additionally, development within the floodplain is often difficult, costly, and requires special permitting. The floodplain currently has limited protection under the existing ordinance.

Resolution

It is recommended that the City create a floodplain zoning district to prevent removal of trees in and around sensitive areas to protect water quality, stability, and other environmental protections.

Imagine Burleson Reference(s)

Goal 3: Promote parks and open space conservation

Goal 11: Promote open space conservation

Goal 13: Storm water management

Placemaking

11. Plan for Form-Based Code Nodes to Create Unique Places

Issue

During the online citizen input and diagnostic interview process, it has been identified that the City does not have any district or vibrant “places”, other than the Old Town. A strong support and desire for such places within the City has been voiced.

Resolution

A key tool to creating great places is form-based codes in select areas within the city. While traditional zoning focuses on the use and development of an individual lot, form-based codes focus on the role individual buildings have in shaping the public realm. Form-based codes embody the goals and objectives of Implement Burleson by relying on design concepts and patterns that seek to preserve the best of a community and create more vibrant “places”. Configuring buildings and streets to enliven social life creates more places for people to gather, eat ice cream, see movies, visit museums and hang out. Form-based codes can also ensure access to parks and open spaces by creating a vision plan that integrates parks, trails and open spaces into the future development. Form-based codes regulate the key aspects of urban form, such as the height of buildings, how close structures are to the street, and windows and doors on walls facing streets and other public spaces. They can also govern the streets themselves to ensure the street system is aesthetically pleasing (tree lined streets and paving material variations) and accommodates multiple modes of transportation (car, bus, trolley, walking and bicycle).

Imagine Burleson Reference(s)

Goal 1: Promote diverse land use options

Goal 2: Promote cultural venues in the City.

Goal 4: Promote additional shopping, dining, and entertainment opportunities by developing focus areas.

Goal 5: Promote a multi-modal street network that is pleasant and safe for pedestrians and bicyclists.

Goal 6: Promote pedestrian friendly street designs and developments

Goal 16: Promote a diverse and viable economic base through a diverse and aesthetically pleasing built environment.

Goal 19: Promote a built environment that incorporates identification elements to create a unique image and a sense of place.

Goal 20: Promote an aesthetically pleasing visual appearance in all elements of the City’s physical appearance – individual buildings, neighborhoods and streets.

12. Define Nodes Appropriate for Form-Based Zoning

Issue

Form-based code is not appropriate everywhere in Burleson. National experts in form-based code have recognized that a pure form-based approach is not going to be the best application in all areas of a community - there will still need to be traditional zoning districts for uses such as single family neighborhoods, industrial, and automobile oriented uses such as dealerships and fast-food restaurants.

Resolution

For this reason, the proposed future land use map will identify potential node locations appropriate for form-based code. There are three different node types: neighborhood nodes, community nodes, and regional nodes. The main differences between the nodes are their size and scale, but they all support the following design principles:

The form-based nodes will be walkable

All form-based nodes will promote pedestrian and bicycle activity with shaded sidewalks, street furniture such as benches, lighting, landscaping, bike racks and appropriately designed wayfinding signage.

The form-based nodes will be connected

All form-based nodes will support a street system that accommodates multiple modes of transportation and connects to adjacent amenities such as the City's trail system, the Citywide park and open space system and neighborhood services (shops, cafés, and personal services).

The form-based nodes will be human scaled

All form-based nodes will be comfortable and aesthetically pleasing. They will contain ample open spaces, appropriate building orientation and an inviting street character. Varied architectural articulation, extensive landscaping, gateways and signage will describe individual neighborhood character.

The form-based nodes will be active

All the form-based nodes will foster a mix of uses that allow for people to live, work, play and shop in one place, which then will provide a memorable and a unique experience for both residents and visitors.

Imagine Burleson Reference(s)

Goal 1: Promote diverse land use options

Goal 2: Promote cultural venues in the City.

Goal 4: Promote additional shopping, dining, and entertainment opportunities by developing focus areas.

Goal 5: Promote a multi-modal street network that is pleasant and safe for pedestrians and bicyclists.

Goal 6: Promote pedestrian friendly street designs and developments

Goal 16: Promote a diverse and viable economic base through a diverse and aesthetically pleasing built environment.

Goal 19: Promote a built environment that incorporates identification elements to create a unique image and a sense of place.

Goal 20: Promote an aesthetically pleasing visual appearance in all elements of the City's physical appearance – individual buildings, neighborhoods and streets.

The form-based nodes will be green

All the form-based nodes will support the City of Burleson's conservation efforts, protecting large contiguous natural open spaces, floodplain areas and sensitive ecosystems. The form-based nodes will also reduce the effect of urban heat island, lower energy costs, reduce travel needs and promote alternate modes of transportation such as biking, walking, public transit, etc.

Even though the nodes all have the same design principles, they will range in scale and character. In the form-based code, standards and guidelines will be developed around these design principles. Standard elements will include:

- Building Form Standards: Regulations controlling the configuration, features, and functions of buildings that define and shape the public realm.
- Public Space/Street Standards: Specifications for the elements within the public realm (e.g., sidewalks, travel lanes, street trees, street furniture, plazas, etc.).
- Administration: A clearly defined application and project review process.

The following descriptions and imageries describe the character and scale of each node type.

The Neighborhood Node

Neighborhood Nodes create an identifiable center of a community where small corner stores once existed, and churches and cotton gins once supported viable places. These nodes are intended to be close to single family and rural land uses to provide gathering places and every day services nearby without significantly impacting the character of the area. They will provide about 10,000 to 20,000 square feet of commercial resources for a local 0 to 2-mile radius and occur in a low-density development pattern emulating historical Texas small town characteristics.

Walkable: The “spaces” connecting buildings are designed to provide a safe walking experience.



Image provided by City of Burleson



2016 Google Earth

Connected: Appropriate infrastructure creates an appealing and safe walking and biking experience.



2016 Google Earth



Rivera, Michael, <http://creativecommons.org/licenses/by-sa/3.0/>, via Wikimedia Commons

Human Scaled: Café seating, retail and detailed architecture creates an interesting pedestrian experience.

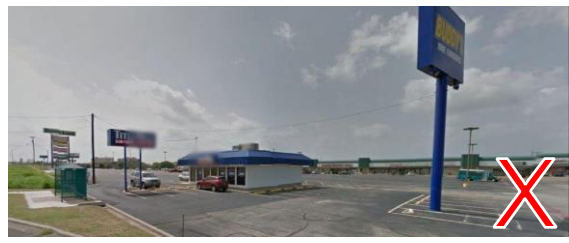


Image provided by City of Burleson

Active: Architecture styles reflect neighborhood character and support a mix of uses.



The Other Paper, <https://flic.kr/p/4kPWYH>.



2016 Google Earth

Green: Incorporation of centralized and usable green spaces provides a place for residents to dwell.



Image provided by City of Burleson



Image provided by City of Burleson

The Community Node

Community Nodes offer an alternative development pattern to the traditional strip center and provide a blueprint for how to make an old center come alive again. The retail services support a larger anchor store and specialized retail and restaurants. These nodes draw from a greater area of Burleson with a catchment area up to 10 miles and a retail component of 30,000-50,000 square feet.

Walkable: Sidewalks and intersections feel safe and support amenities such as benches and trash cans.

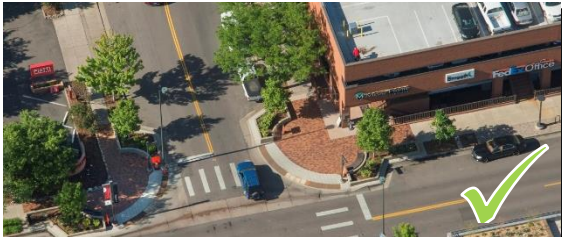


Image provided by City of Burleson

Connected: Development prioritizes pedestrian access to retail and amenities unlike an auto oriented strip mall development pattern.



Image provided by City of Burleson

Human Scaled: Appropriately sized retail replaces big box stores and fronts onto pedestrian oriented spaces such as sidewalks and plazas.



Image provided by City of Burleson



Random Retail. www.flickr.com/photos/walmart312331640945

Active: Mixed use development keeps neighborhoods active all day.



Aller, Jason. https://localwiki.org/davis/Apartments_above_Crepeville/_files/Apartments_Above_Crepeville.JPG/_info/



Image provided by City of Burleson

Green: Public green spaces give residents a place to enjoy the outdoors.



Image provided by City of Burleson



Image provided by City of Burleson

The Regional Node

Regional Nodes will be dedicated to larger /office/retail/commercial and mixed-use lifestyle center projects, primarily new construction opportunities. These nodes provide a higher density mix of uses that draw business and visitors from a greater area of Burleson. The large scale accommodates more activity for a commercial component ranging in size between 100,000 to 200,000 square feet and serving an area greater than 10 miles.

Walkable: Buildings create a comfortable sense of enclosure by creating a consistent street wall along priority sidewalk and pedestrian areas. Blocks are appropriately sized for easy pedestrian circulation,



Image provided by City of Burleson

Connected: Nodes with higher densities are connected by alternative transit such as bus or rail.



Wilson, David. https://commons.wikimedia.org/wiki/File:20061110_10_Transit_Oriented_Development_Piano



Image provided by City of Burleson

Human Scaled: Building heights are at a comfortable ratio to street width.



Image provided by City of Burleson

Active: Destinations are activated through a mix of retail and residential uses.



2016 Google Earth



Aneekr at the English language Wikipedia. https://commons.wikimedia.org/wiki/File%3AWal-Mart_Supercenter_at_Fountain_Square%2C_Waukegan%2C_Illinois.jpg

Green: Traditionally left over green spaces can be creatively integrated into a larger green network.



Keivinkay. https://daviswiki.org/Davis_Commons/_files/daviscommons1.JPG/_info/



Image provided by City of Burleson

13. Establish a Process for the City and Developers to develop Regulating Plans to Implement the Form-Based Code

Issue

A Regulating Plan is a map that indicates where the standards developed in the form-based code apply to specific properties within a geographical area. It is important that the regulating plans are context sensitive and that they are truly tailored to the economic and social realities and must specify a physical design that can be justified.

Resolution

Regulating plans will be prepared by the developer or the city on a site by site basis and will not be a part of the code rewrite. The code will include instructions on how to develop and prepare a regulating plan and the process for review and adoption.

Imagine Burleson Reference(s)

Goal 1: Promote diverse land use options

Goal 2: Promote cultural venues in the City.

Goal 4: Promote additional shopping, dining, and entertainment opportunities by developing focus areas.

Goal 5: Promote a multi-modal street network that is pleasant and safe for pedestrians and bicyclists.

Goal 6: Promote pedestrian friendly street designs and developments

Goal 16: Promote a diverse and viable economic base through a diverse and aesthetically pleasing built environment.

Goal 19: Promote a built environment that incorporates identification elements to create a unique image and a sense of place.

Goal 20: Promote an aesthetically pleasing visual appearance in all elements of the City's physical appearance – individual buildings, neighborhoods and streets.

Procedures

14. Task Staff with Providing Recommendations on Development Decisions

Issue

One of the concerns expressed regarding the development process was the need for many applications to be reviewed by the Planning & Zoning Commission and City Council, rather than an expedited staff review process.

Resolution

The zoning ordinance should authorize staff to approve certain applications to expedite the development process and relieve some of P&Z and City Council's workload. Staff should also provide recommendations regarding every application to present technical factors that would help P&Z and City Council make decisions.

15. Evaluate Criteria for Council Waivers

Issue

The current ordinance does not provide guidance for the requirements and criteria for granting a Council waiver for zoning cases.

Resolution

A section regarding Council waivers should be added to the proposed Article VI (Procedures). Clear criteria and requirements should be established for waiver applications.

16. Clearly Outline the Development Process

Issue

Many applicants are unclear regarding the anticipated timeline and required steps within the development process.

Resolution

A flow chart depicting the process overview should be included in the application procedure section.

Standards

17. Consider Increasing Building Heights for Multiple Family Uses

Issue

Maximum building heights in the MF-1 and MF-2 districts has been identified as an obstacle of achieving additional density and variety. Currently, 2½ stories and 3 stories are allowed respectively in the MF-1 and MF-2 districts.

Resolution

The maximum allowed building height should be increased to 3 stories for MF-1 and to 4 stories for MF-2 to achieve higher density multi-family development and increase variety in housing and building types.

Imagine Burleson Reference(s)

Goal 9: Promote an enhanced physical environment in residential neighborhoods

Goal 10: Promote social sustainability in residential neighborhoods

Goal 12: Sustainable built environment

18. Consider Revising and Including Standards for Traditional Single Family Residential Districts

Issue

Another issue discussed in the interview process is the minimum requirements for front and side setbacks for the single family residential districts. In some districts, the front setback is as small as 20 feet, which can result in the sidewalk being blocked if a vehicle is parked in front of the garage. The side yard setbacks of 5 feet result in limited room for landscaping and heating/cooling equipment. Additionally, accessory buildings and garage regulations for single family residential districts are important elements that are not currently regulated through the zoning ordinance.

Resolution

During the zoning rewrite process, the setbacks for all zoning districts should be evaluated and revised. The Supplemental Regulations should include standards and regulations for accessory buildings and garages. Accessory buildings should either be regulated by using a lot's coverage percentage or the main structure's footprint percentage.

Garages should be required to be set back from the main structure's front building line to ensure that the homes are the focus of a neighborhood. Building material standards and architectural standards should be provided for both garages and accessory buildings.

Imagine Burleson Reference(s)

Goal 9: Promote an enhanced physical environment in residential neighborhoods

Goal 20: Promote an aesthetically pleasing visual appearance in all elements of the City's physical appearance – individual buildings, neighborhoods and streets

19. Evaluate Opportunities for Innovative Residential Development Types

Issue

The online public input process revealed significant support of full life cycle housing – providing options for singles, couples, small and large families, empty nesters, and seniors.

Resolution

The zoning ordinance should support a variety of housing types by allowing for “missing middle” housing types, which refers to housing units ranging from small single family homes to medium-density multiple family homes. Examples of “missing middle” housing types that may be appropriate for Burleson include accessory dwelling units, zero lot line/patio homes, townhomes, duplexes, quadraplexes, and small apartments. The zoning ordinance should also allow for cluster development, which concentrates development in one area of a site, thereby preserving the remainder as natural open space.

Imagine Burleson Reference(s)

Goal 3: Promote parks and open space conservation

Goal 9: Promote an enhanced physical environment in residential neighborhoods

Goal 10: Promote social sustainability in residential neighborhoods

Goal 20: Promote an aesthetically pleasing visual appearance in all elements of the City’s physical appearance – individual buildings, neighborhoods and streets

20. Ensure that Future Development is Compatible with Residential Neighborhoods

Issue

Residents have shown strong support for multiple nodes of development that will be adjacent to existing and future residential neighborhoods. Providing tools in the zoning ordinance to ensure high quality of residential neighborhoods and integrated neighborhood services such as shops, cafes and personal services that promote social interactions should be a priority.

Resolution

Residential adjacency standards should be developed within the zoning ordinance. Transitional uses should be required between residential and nonresidential districts. Standards should be established after determining appropriate uses and scale for each zoning district that generally encourage smaller building footprints, lower heights, lower traffic generation, minimal noise and discourage pollution.

Imagine Burleson Reference(s)

Goal 1: Promote diverse land use options

Goal 4: Promote additional shopping, dining, and entertainment opportunities by developing focus areas

Goal 9: Promote an enhanced physical environment in residential neighborhoods

Goal 10: Promote social sustainability in residential neighborhoods

Goal 20: Promote an aesthetically pleasing visual appearance in all elements of the City’s physical appearance – individual buildings, neighborhoods and streets

21. Develop Architectural Standards to Improve the Quality of Development

Issue

Architectural standards, such as building façade standards and residential anti-monotony standards, are not addressed in the current zoning ordinance.

Resolution

To ensure desirable future development, new standards for building façades and variety should be added. Based on the feedback received in the interview process, many of the current standards should be evaluated and updated; however, the current standards for multi-family districts produce quality development and should be retained in the new ordinance.

Imagine Burleson Reference(s)

Goal 9: Promote an enhanced physical environment in residential neighborhoods

Goal 10: Promote social sustainability in residential neighborhoods

Goal 20: Promote an aesthetically pleasing visual appearance in all elements of the City's physical appearance – individual buildings, neighborhoods and streets

22. Clarify and Expand Lighting Regulations

Issue

The current lighting regulations are located in three different sections – one section describes the sign illumination standards, one section elaborates on exterior lighting fixtures, and another section provides information on lighting sources and general lighting related information. Additionally, the lighting regulations include limited details and somewhat outdated practices.

Resolution

All lighting regulations should be combined under one heading and placed in Article III: Districts, Uses and Standards. Additionally, the lighting section should be expanded to include more clear guidance with illustrations of required fixtures. Modern “dark-sky” standards should be incorporated and full cut-off lighting should be required.

Imagine Burleson Reference(s)

Goal 12: Sustainable built environment

23. Relocate Parking Requirements into Use Chart and Develop More Sustainable Parking Regulations

Issue

Current minimum parking standards may be too strict and no maximum parking limitations are stated, often resulting in unnecessarily large parking areas. The current ordinance does not include a provision for shared parking. Additionally, the link between land uses and the required parking ratios can be unclear.

Resolution

It is recommended that a column for parking and requirements be included in the Use Matrix. The parking ratios should also be revisited to review the minimum ratios and consider implementing a maximum parking standard. Another option is to require stormwater mitigation in parking lots that exceed the minimum amount of parking by at least ten percent.

As part of the “placemaking” effort, design elements should be incorporated with parking lot regulations; for example, the use of sub-lots or “parking pods” to lessen the visual impact of seas of parking. Establishing safe pedestrian crossings should be a priority in parking regulation.

Imagine Burleson Reference(s)

Goal 5: Promote a multi-modal street network that is pleasant and safe for pedestrians and bicyclists

Goal 6: Promote pedestrian friendly street designs and developments

Goal 12: Sustainable built environment

Goal 13: Storm water management

Goal 20: Promote an aesthetically pleasing visual appearance in all elements of the City’s physical appearance – individual buildings, neighborhoods and streets

24. Expand Regulations to Enhance the Pedestrian Realm

Issue

The survey results indicate strong support for reducing the need of vehicular trips within the City and making Burleson more walkable.

Resolution

The new ordinance should include regulations that encourage walking. For example:

- Buildings should be adjacent to the street or sidewalk in pedestrian-oriented areas with parking located on the street and/or behind the building.
- Ground level walls adjacent to sidewalks should require a certain percentage of window area to make walking more welcoming and enjoyable.
- Building heights should be 1-3 stories in pedestrian-oriented areas, with horizontal or vertical articulation to break up the volume of buildings.

Imagine Burleson Reference(s)

Goal 5: Promote a multi-modal street network that is pleasant and safe for pedestrians and bicyclists

Goal 6: Promote pedestrian friendly street designs and developments

Goal 8: Promote context sensitive street design concepts

Goal 12: Sustainable built environment

Goal 14: Reduce air pollution

Goal 16: Promote a diverse and viable economic base through a diverse and aesthetically pleasing built environment

Goal 19: Promote a built environment that incorporates identification elements to create a unique image and a sense of place

Goal 20: Promote an aesthetically pleasing visual appearance in all elements of the City's physical appearance – individual buildings, neighborhoods and streets

Other Issues Not Addressed in the Code Update

25. Explore Ways to Encourage Quality Development in the ETJ

Issue

Texas cities are limited in regulating development in the extraterritorial jurisdiction area, which can result in lower quality development and difficulties in planning for infrastructure needs in the ETJ. It is possible that the ETJ area will be incorporated within the City limits in future, creating incompatibilities and other issues for the City.

Resolution

Currently the City uses development agreements to regulate certain developments in the ETJ to protect water/air quality in the entire area. The City of Burleson should draft proposed State enabling legislation work with representatives to sponsor the legislation.

26. Develop Tree Preservation Regulations

Issue

The City currently has no regulations to protect trees from future development or require mitigation for removed trees.

Resolution

The City should amend Chapter 86 – Landscaping, Trees, and Vegetation to incorporate regulations protecting larger trees (e.g., 6 caliper inches or larger) and/or trees of certain species. Depending on the criteria developed by the City, approval may be granted administratively or by City Council if desired. Alternatively, the City can allow removal of protected trees submit to on-site mitigation by caliper inches or contribution to a City fund for tree planting/maintenance.