

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Discussion of possible amendments to BMC Chapter 12.38, Street Trees and Trees on City Property		Meeting Date: December 8, 2008
Department: Public Works	Attachments: Proposed Ordinance No. 502	Fund Source: N/A
Contact: Stephen Clark, Director		Activity Cost: N/A
Telephone: (206)248-5514		Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Adopted Work Plan Priority: Yes X No	Work Plan Item Description: City of Burien Road Standards	
PURPOSE/REQUIRED ACTION:		
<p>The purpose of this agenda item is for Council to discuss possible amendments to BMC Chapter 12.38, relating to Street Trees and Trees on City Property.</p>		
BACKGROUND (Include prior Council action & discussion):		
<p>The current code provides that adjacent property owners must maintain the street trees and vegetation within the Right-of-Way. However, "adjacent" is not defined and may establish the right and obligation of neighboring property owners to prune trees and maintain vegetation within the Right-of-Way, including the right to prune trees without obtaining a permit.</p>		
<p>The revised draft ordinance addresses this issue by more clearly defining the area within the public Right-of-Way that the adjacent property owner will have a duty to maintain. Such maintenance areas would be defined as follows: the Right-of-Way area bounded by the property owner's boundary line contiguous to the Right-of-Way extending perpendicular on either end to the centerline of the Right-of-Way. This definition clarifies that the property owner is responsible for the Right-of-Way only up to the center line and further that neighboring property owners must go through the established permit process to trim trees within that Right-of-Way area.</p>		
<p>The attached draft of Ordinance No. 502 shows the proposed amendments to BMC Chapter 12.38.</p>		
OPTIONS (Including fiscal impacts):		
N/A		
Administrative Recommendation: Hold discussion and consider placing Ordinance No. 502 on the December 15, 2008, agenda for approval.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: None required.		
Submitted by: Stephen Clark		
Administration _____	City Manager _____	
Today's Date: November 25, 2008	File Code: R:\CC\Agenda Bill 2008\120808pw-1 -Street Standards.doc	