

**MEETING DATE:** September 28th, 2021

**STAFF:** Rick Arroyo, Asst. Community  
Development Director

**PROJECT NAME:** UDO Amendment #52

**CASE NUMBER / REQUEST:** 20-175-08 – UDO Amend #52 – Recommended Trees and Shrubs  
Regulations

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**APPLICANT:** City of Independence

**PUBLIC NOTICE:**

- Public notice published in Independence Examiner – September 11, 2021

**FURTHER ACTION:**

Following action by the Planning Commission, this UDO Amendment is scheduled for first reading by City Council on October 18th and the public hearing/second reading on November 1<sup>st</sup>.

## RECOMMENDATION

Staff recommends **APPROVAL** of the proposed amendment to the Unified Development Ordinance.

## PROJECT DESCRIPTION & BACKGROUND INFORMATION

**PROJECT DESCRIPTION:**

The City proposes Amendment #52 to the Unified Development Ordinance (UDO) related to Recommended Trees & Shrubs.

**BACKGROUND & HISTORY:**

This amendment repeals and replaces tables in the Unified Development Ordinance for recommended plant species in the City of Independence. These updated recommendations remove plants that are no longer recommended in our community and emphasizes plant species that are known to perform well in our landscape, provide significant community benefits, and enhance community character. This amendment also addresses aggressive, non-native species whose presence causes or is likely to cause economic harm and damage to our public infrastructure. The intent of the

amendment is to bring City code in line with State and regional guidance on invasive species, emerging pests, diseases, and recommended plant species for our landscape.

Currently the UDO recommends plant species such as Ash trees that are no longer recommended due to pests or diseases caused by the Emerald Ash Borer, an exotic beetle that has destroy many ash trees in Missouri. The death of these healthy trees costs our community for removal and lost ecosystem services, or requires careful use of systemic insecticides throughout a tree's lifespan.

The UDO also recommends plants considered Missouri invasive species such as Shrub honeysuckle and Callery (Bradford) pear, which can damage our natural resources and green infrastructure, and increase maintenance costs of our stormwater systems. There are also other plants currently listed considered top threats by the Missouri Department of Conservation and the Missouri Invasive Plant Task Force. Removing these invasive plants from the UDO will help minimize additional spread of invasive plants and lessen the long-term impact of existing problem species. Plants considered invasive can have a direct impact on our economy causing the City, private landowners, and business economic loss by having to control or remove invasive and diseased plants and trees; our recommended plant list should not continue to contribute to the problem.

The plat species recommended in this UDO proposal will helps property and business owners choose the right plant for the right place. This amendment updates our recommendations with plant species that are better adapted to our community and climate. Invasive plant species are replaced with plants native to Missouri that are more adaptable to the challenging conditions of urbans sites with disturbed soils, soils with high clay content, and high soil pH, and our extreme weather events like floods, ice storms, and drought.

Our native plants typically have deeper root systems that increase the amount of stormwater absorbed into the ground, reducing flooding and water pollution impacts in our community. These plants are more drought tolerant and help reduce soil erosion and can help stabilize stream banks along stream corridors. These updated selections enhance our landscapes rather than degrade, while also reducing long-term maintenance costs, and improving water and air quality.

This UDO amendment recommends plants that are attractive, formal, and would be a point of pride for any business or property owner. That said, the updated plant recommendations serve as a guide in selecting trees, shrubs, and other landscape plants; there are many plants not listed that may be used as substitute with prior approval from the Community Development Department allowing stakeholders flexibility to propose an alternative planting plan. This amendment also increases the total number of approved plants than in the current UDO.

Staff believes the proposed amendment is necessary to reduce negative impacts of invasive plant species, reduce impacts to our stormwater management program, and better serve business and property owners with recommended plant species that are consistent with local and regional guidance, reduce maintenance costs, improve air and water quality, and enhance the community.

The City's Tree Commission and the Missouri Department of Conservation have also reviewed these UDO recommendations.

This amendment would repeal and replace the following sections in Article 503 of the UDO:

14-503-16(B) Recommended trees and plants

14-503-18(B) Trees and plants near overhead utility lines

14-503-17(B) Trees and plants specifically prohibited in the street rights-of-way.

The attached exhibit includes the proposed changes to Chapter 14 Article 503.

#### **EXHIBITS**

1. 14-503-16(B) Recommended trees and plants
2. 14-503-18(B) Trees and plants near overhead utility lines
3. 14-503-17(B) Trees and plants specifically prohibited in the street rights-of-way.