

**CITY OF BURIEN  
AGENDA BILL**

<b>Agenda Subject:</b> Discussion of possible amendments to BMC Chapter 12.38, Street Trees and Trees on City Property		<b>Meeting Date:</b> December 8, 2008
<b>Department:</b> Public Works	<b>Attachments:</b> Proposed Ordinance No. 502	<b>Fund Source:</b> N/A
<b>Contact:</b> Stephen Clark, Director		<b>Activity Cost:</b> N/A
<b>Telephone:</b> (206)248-5514		<b>Amount Budgeted:</b> N/A <b>Unencumbered Budget Authority:</b> N/A
<b>Adopted Work Plan</b> <b>Priority:</b> Yes X No	<b>Work Plan Item Description:</b> City of Burien Road Standards	
<b>PURPOSE/REQUIRED ACTION:</b>		
<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>		
<b>BACKGROUND (Include prior Council action &amp; discussion):</b>		
<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>		
<b>OPTIONS (Including fiscal impacts):</b>		
N/A		
<b>Administrative Recommendation:</b> Hold discussion and consider placing Ordinance No. 502 on the December 15, 2008, agenda for approval.		
<b>Committee Recommendation:</b> N/A		
<b>Advisory Board Recommendation:</b> N/A		
<b>Suggested Motion:</b> None required.		
Submitted by: Stephen Clark		
<b>Administration</b> _____	<b>City Manager</b> _____	
<b>Today's Date:</b> November 25, 2008	<b>File Code:</b> R:\CC\Agenda Bill 2008\120808pw-1 -Street Standards.doc	