

# Prince George's County Council

## Agenda Item Summary

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**Meeting Date:** 7/23/2014  
**Reference No.:** CR-023-2014  
**Draft No.:** 3  
**Proposer(s):** Olson  
**Sponsor(s):** Olson, Lehman  
**Item Title:** A Resolution concerning establishment of County policy for shade trees for the purpose of the establishment of a shade tree policy along sidewalks within the Prince George's County rights-of-way.

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**Drafter:** Todd M. Turner, Legislative Officer  
**Resource Personnel:** Danielle M. Glaros, Legislative Aide  
Thomas Mayah, Citizen Services

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### LEGISLATIVE HISTORY:

<b>Date Presented:</b>		<b>Executive Action:</b>
<b>Committee Referral:</b>	4/29/2014 - THE	<b>Effective Date:</b>
<b>Committee Action:</b>	7/17/2014 - FAV(A)	
<b>Date Introduced:</b>	4/29/2014	
<b>Public Hearing:</b>		
<b>Council Action (1)</b>	7/23/2014 - ADOPTED	
<b>Council Votes:</b>	WC:-, DLD:A, MRF:A, AH:A, ML:A, EO:A, OP:A, IT:A, KT:A	
<b>Pass/Fail:</b>	P	
<b>Remarks:</b>		

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### AFFECTED CODE SECTIONS:

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### COMMITTEE REPORTS:

#### TRANSPORTATION, HOUSING AND ENVIRONMENT COMMITTEE

**Date 7/17/2014**

Committee Vote: Favorable with amendments 5-0 (In favor: Council Members Campos, Davis, Olson, Patterson and Toles)

Staff provided a summary of the resolution and referral comments that were received and reviewed a Proposed Draft 2 of the resolution. CR-23-2014 establishes a County Policy for shade trees along sidewalks within the Prince Georges County rights-of-way. Proposed Draft 2 seeks to expand the intervals on plantings within the rights-of way, add utility infrastructure and reference to Plan Prince George's 2035 Approved General Plan designated centers.

Mr. Adam Ortiz, Director, Department of the Environment (DOE) testified in support of CR-23-2014 on behalf of the Administration.

Mr. Daniel Smith, Anacostia Watershed Society, and Marisa Jones, of the Institute of Public Health Innovation, provided additional comments to the Committee in support of CR-23-2014.

Mr. Marcus Jackson, Governmental Affairs Director, Maryland National Capital Building Industry Association (MNCBIA), reviewed their July 15, 2014 letter provided and thought several of the items were addressed by amendments in Proposed Draft 2.

The Office of Law determined that CR-23-2014 was in proper legislative form.

The Office of Audits and Investigation indicated there may be an adverse fiscal impact on the County as a result of adopting CR-23-2014 because of the cost (labor, materials) associated with planting and maintenance of shade trees. However, this may be offset by potential increases in property value.

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**BACKGROUND INFORMATION/FISCAL IMPACT:**

(Includes reason for proposal, as well as any unique statutory requirements)

A resolution establishing a shade tree policy along sidewalks within the Prince George's County rights-of-way.

7/23/2014: CR-23-2014 (DR-2) was amended on the floor prior to adoption as follows:

1. On page 2, starting at line 4, strike through line 18 and replace with:

"NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's County, Maryland, that it shall be County policy that sidewalks in the County rights-of-way shall have shade trees, roadside trees, ornamental trees, and flowering trees at intervals consistent with the needs of their species, and shall provide shade as much as possible; and

BE IT FURTHER RESOLVED that in implementing this policy, the County will not be required to install trees where they are not feasible in certain sections due to physical constraints, proximity of utility infrastructure, or other factors, but that the 'right tree in the right place' principle shall be followed; and

BE IT FURTHER RESOLVED that in implementing this policy, the County shall generally start the planting of shade trees in areas of highest concentration of pedestrians, to include Plan Prince George's 2035 Approved General Plan designated centers, as well as sidewalks leading to bus stops, transit stations, commercial centers, parks and recreation facilities, schools, and within neighborhoods; and

BE IT FURTHER RESOLVED that the Department of Public Works and Transportation is encouraged to revise its regulations, specifications and policy manuals to reflect the goals of this County Council resolution and report annually to the County Council the number of trees planted, neighborhoods covered, and tree canopy created; and"

CR-23-2014 (DR-3) was adopted.

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**CODE INDEX TOPICS:**

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**INCLUSION FILES:**

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