

AGENDA
WORK SESSION

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TUESDAY, JUNE 23RD
WORK SESSION
@ 6:00 PM

PUBLIC HEARING:

- Sign Ordinance Amendment .

SPECIAL MEETING

- Consider Sign Ordinance Amendment

MEETING CALLED TO ORDER

AGENDA REVIEWED IN ITS ENTIRETY BEFORE DISCUSSION

PUBLIC COMMENT ON ANY ISSUE (5 MINUTE LIMIT)

PRESENTERS (IF ANY)

NEW BUSINESS

- City Trees
- Downtown River Park Update
- Closed Session to Discuss Property Acquisition

CONSIDER AGENDA ITEMS FOR WORK SESSION # 2

MAYOR & COUNCIL COMMENTS

ADJOURNED .

[Next Meeting: Work Session Thursday, July 9th @ 8:15 AM](#)



COUNCIL STAFF REPORT

Dept. of Community Development

June 8, 2015

Agenda Item: Amendments to Zoning Ordinance

- **Create** Section 19.2.B.14.c
 - Sign Ordinance Definitions
- **Create** Section 20.5.e
 - Non-Residential Accessory Uses

Purpose: We have two (2) Zoning Ordinance amendments for consideration:

First, is the creation of a new subsection (c) in section 19.2.B.14 of the sign ordinance? This section in particular deals with defining a 'marquee'. The new subsection intends to define marquees used for theaters an accessory use and therefore exempt from sign ordinance standards or approval.

In connection with the first change is the creation of a new subsection (d) in section 5 of chapter 20 which deals with the regulations for accessory uses. The new subsection intends to define the specific regulations and procedures of installing a "theater marquee".

Background: The purpose of these text amendments is to provide a more individualized ordinance for marquees that serve theaters. Marquees serve a more critical and necessary role in the daily function of theaters than they do any other type of business and therefore should be considered on a case-by-case basis with consideration to but not restricted by underlying zoning ordinances.

Related Material: Amendments being made

New Section 19.2.B.14 (Sign Ordinance)

(14) Marquee.

a. Permanent Marquee. A sign painted on, attached to, or consisting of interchangeable letters on the face of a surface that is free-standing and supported by a pole, post, or other support attached to the ground in a fixed location. Letter or symbols on that face of said marquee shall not exceed six (6) inches.

b. Portable Marquee. A sign painted on, attached to, or consisting of interchangeable letters on the face of a surface that is mounted or attached to a trailer, sled, or other apparatus that can be moved. Letter or symbols on that face of said marquee shall not exceed six (6) inches in height.

c. Theater Marquees. It shall be considered an accessory use if a permanent marquee is directly attached to or associated with a structure that functions primarily as a theater of any kind and therefore is addressed in section 12 of the zoning ordinance.

New Section 20.5.e (Accessory Structures & Uses)

Section 20. Accessory Structures and Uses

1. Purpose

Accessory structures and uses are permitted in connection with and incidental to a permitted principal use or structure and in compliance with the restrictions of this section.

The purpose of establishing specific guidelines for specific accessory structures and uses is provide clear direction for determining compatibility between adjacent uses and to provide a mechanism for recommending bodies and decision makers to evaluate zoning and rezoning applications.

2. Permitted Accessory Structures and Uses

Permitted accessory structures and uses shall be limited to the following and any additional uses and structures the Planning Director finds are similar to those listed in scope, size and impact and which are otherwise in compliance with this Ordinance. All accessory structures shall require a permit.

3. Residential Accessory Structures

(a) Fences and walls – Material shall be limited to the following: wood, wrought iron or decorative aluminum, masonry or stucco and chain link (permitted in rear and side yards only). All fences and walls shall have their finished face directed outward towards adjacent lots or streets. The height of any fence in the side or rear yard shall not exceed six (6) feet and three (3) feet in the front yard.

(b) Flag poles – Such structures must meet the height and building setback requirements of the underlying zoning district.

(c) Freestanding heating and air equipment – Such structures shall be located in side and rear yards only and may encroach into the required yard up to four (4) feet.

(d) Patios, paved terraces and decks, at or above ground – No patio, paved terrace or deck shall be located within five (5) feet of any property line or public right of way.

(e) Garage or carport attached to dwelling – Structure must meet the setback requirements of the underlying zoning district. In no instance, shall the structure be located within five (5) feet of the rear or side property line.

(f) Garage or carport detached – Structure shall not protrude into any required front yard and

shall not be located within five (5) feet of the rear or side property line.

(g) Residential outbuildings – Shall be limited to ten (10) feet in height and shall be no closer than five (5) feet to any side or rear property line. In no instance, shall an outbuilding be located in any required front yard.

(h) Swimming pools – Swimming pools, whether in-ground or above-ground, shall be installed no closer than ten (10) feet to any property line measured from the nearest water surface, exclusive of decking, which shall be located no closer than five (5) feet from any property line. Swimming pools shall be located in the rear or non-street side yard of the property. Swimming pools shall comply with the Standard Swimming Pool Code and must be approved by the Building Official.

(i) Radio or Satellite/TV Antennas – Such structures may be on the roof facing the rear or side yards or may be freestanding. All such units shall be set back a minimum of fifteen (15) feet from all lot lines. Ground mounted antennas shall not exceed fifteen (15) feet in height and shall be located in rear yards only. Roof mounted antennas shall not project more than five (5) feet above the roof line.

4. Non-Residential Accessory Structures

(a) Fences and Walls – Material shall be limited to the following: wood, wrought iron or decorative aluminum, masonry or stucco and chain link (permitted in rear and side yards only). All fences and walls shall have their finished face directed outward towards adjacent lots or streets. The height of any fence in the side or rear yard shall not exceed eight (8) feet and three (3) feet in the front yard.

(b) Storage sheds – Shall be located in the rear or non-street side yards only. Structures shall be located at least five (5) feet from adjacent non-residentially zoned property and at least thirty (30) feet from any residentially zoned property.

(c) Refuse disposal containers and pads- Shall be located in the rear or non-street side yards only. All structures shall be located on a pad and enclosed by a six (6) foot high fence or masonry wall with a latched gate and landscaped to visually screen such structure from adjacent properties.

(d) Freestanding Heating and Air Units- Such structures shall be located in the rear street side yards only. The units may encroach into the required yard up to four (4) feet. The equipment must be fenced and screened on at least three (3) sides and landscaped, with a latched gate on the fourth side to visually obstruct such structure from adjacent properties.

5. Non-Residential Accessory Uses

(a) Outdoor Dining- Outdoor dining may be permitted as an accessory use only in the CBD and the CGN districts provided that the dining area does not obstruct any public right of way without prior authorization from the City and that the dining area meets all applicable building code and safety requirements. Outdoor dining should ideally be provided on an extension of the sidewalk in front of the building as long as the façade line is maintained, within the

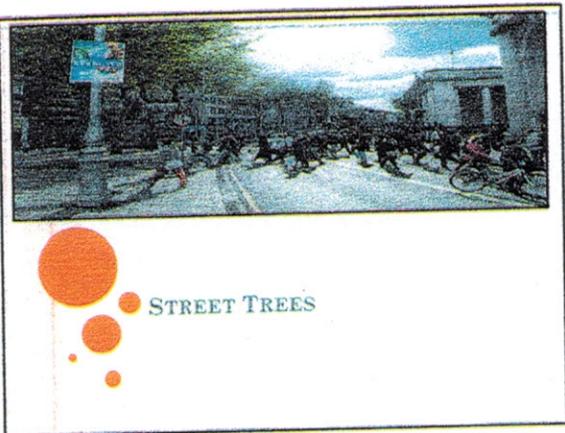
building but using a solarium or paneled window walls, or in the rear yard provided that such use be enclosed by a four (4) foot decorative fence when the rear yard is adjacent to non-residential uses and a eight (8) foot privacy fence when adjacent to residential uses.

(b) Car wash (accessory to gas station) – A car wash shall be permitted as an accessory use to a gas station/convenience store in the CGN and MXD-1 districts subject to the following requirements: a site plan shall be submitted, a fifteen (15) foot buffer shall be maintained along the side and rear property lines abutting residentially zoned property and the car wash facility shall not be located in any required parking spaces.

(c) Used Car Sales – The sale of used cars in the CGN district are only allowed in conjunction with a new car dealership.

(d) Theater Marquee –Structure must be located on the same lot as a building which serves primarily as a theater or cinema house. Structure may be free standing or attached onto the front of the associated facility. Electronic displays shall only use static messages, and the image or text shall change no more frequently than once every ninety (90) seconds. Furthermore, there shall be no fade transitions, animation, video, or similar subtle transitions or frame effects that have the appearance of moving text or images. Electronic Displays are limited to one background color and one text color. The City Planning Department and Downtown Sign Committee (if applicable) must approve the location, size, and aesthetics of all theater marquees prior to permit approval.

(e) Other Accessory Uses as approved by Planning Director



BACKGROUND

- West Point Charrette
 - February 2002
 - UGA College of Environment and Design
 - Depot, College Hill, Historic Preservation, Corridor Improvements, Recreation, Livable Streets and Public Spaces
- TE Project
 - 3rd Avenue
 - Planted in 2008
 - Allee Elm

WHAT IS THE VALUE OF A CITY TREE

- <https://www.youtube.com/watch?v=UXLvZLaNiK>
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CITY TREE BENEFITS

Professional research shows that trees:

- Attract customers and encourage them to shop longer.
- Draw new businesses to the area.
- Increase marketability of property.
- Increase job satisfaction
- Improve pedestrian comfort and security.
- Decrease crime rate.
- Significantly reduce utility billing by shading buildings.
- Calm and slow traffic (increase store visibility!)
- Improve air quality in often polluted downtown areas.
- Reduce noise, glare and ambient temperatures.
- Greatly improve aesthetics and livability.

CITY TREE POLICY

- City Trees do conflict with businesses
- City Ordinance
- Someone must have authority to administer
- Someone must maintain trees
- Must have a process to address tree issues

WEST POINT

Charrette



Back to the Future



Livable Streets and Public Spaces

Gateways and Entries

Gateways and entrances are key in making people realize they have entered into a new and distinctive place. They provide certainty and security for visitors, and instill civic pride in the minds of residents. Locations of primary gateways to West Point are on U.S. Highway 29 coming from Lanett, Alabama. Secondary gateways are located on Old Highway 29 near the High School, Highway 18 and Stataline Road.

Signature Landscaping

A palette of distinctive, hardy street trees can be used to create a unique sense of place at city gateways and within the historic district. On the corners of Seventh, Eighth, and Ninth Streets with Third Avenue, Red Maples (*Acer rubrum*), Ginkgo (*Ginkgo biloba*), and Willow Oaks (*Quercus phellos*) should be planted. Along the river and in areas with plenty of space and no overhead power lines, majestic Sycamore (*Plantanus occidentalis*) could be used to give majestic scale and the visual punctuation of the tree's distinctive white bark in winter.

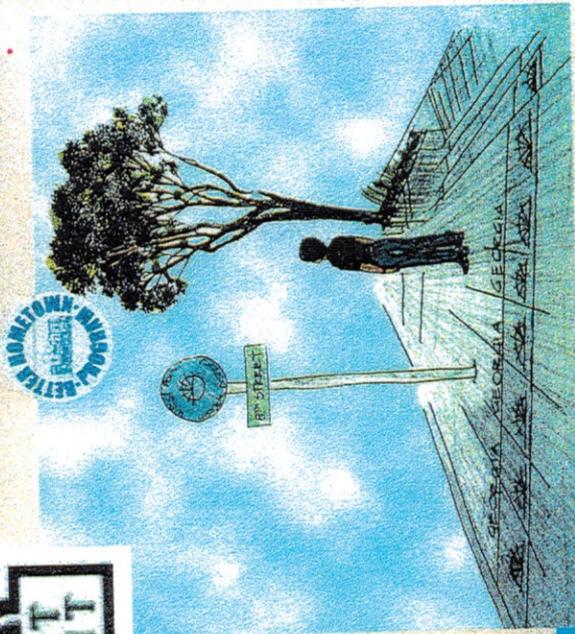
Smaller trees such as Redbuds (*Cercis canadensis*), Hophornbeam (*Ostrya virginiana*), and Wax Myrtles (*Myrica cerifera*) will be planted closer to the buildings. These smaller trees will shade seating areas along the sidewalk.

Signature Signage

Signage for the commercial historic district is essential in drawing people into the historic core of West Point. The team has designed a hierarchy of signage details that could work together to define the city's gateways and improve wayfinding in its historic core and neighborhoods.

New signage should be located on all streets located within the proposed local historic commercial district. The signage designed by the team was inspired by railroad signage, however, different colors were chosen to limit confusion between railroad signage and historic district signage. The signage should incorporate the words "West Point Historic District," the street name on which each sign is located and the current West Point City logo.

Due to the unique location of West Point, it is important to delineate the Stataline for visitors to provide them a unique experience. The Stataline will be located in Downtown West Point on all streets and sidewalks that it intersects. The design shown here incorporates the current West Point City logo.



Stataline markers should incorporate the West Point logo.



The existing steel truss railroad bridge inspired the design of the gateways signs. Primary entrances are inspired by the frontal view of the bridge, while the secondary entrances are inspired by the side view of the bridge. All gateway signs should be constructed of steel.

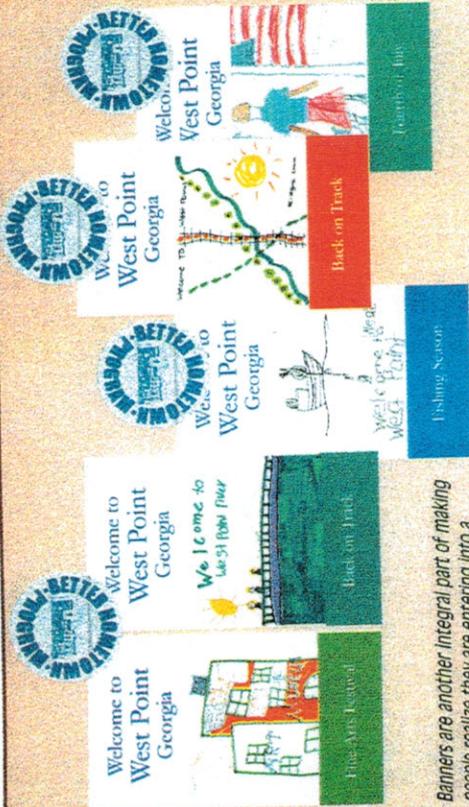
Streets of Distinction

Streetscape design should have the goals of improving historic district appearance, enhancing pedestrian safety, facilitating handicap access and enhancing evening street activity and general pedestrian usage.

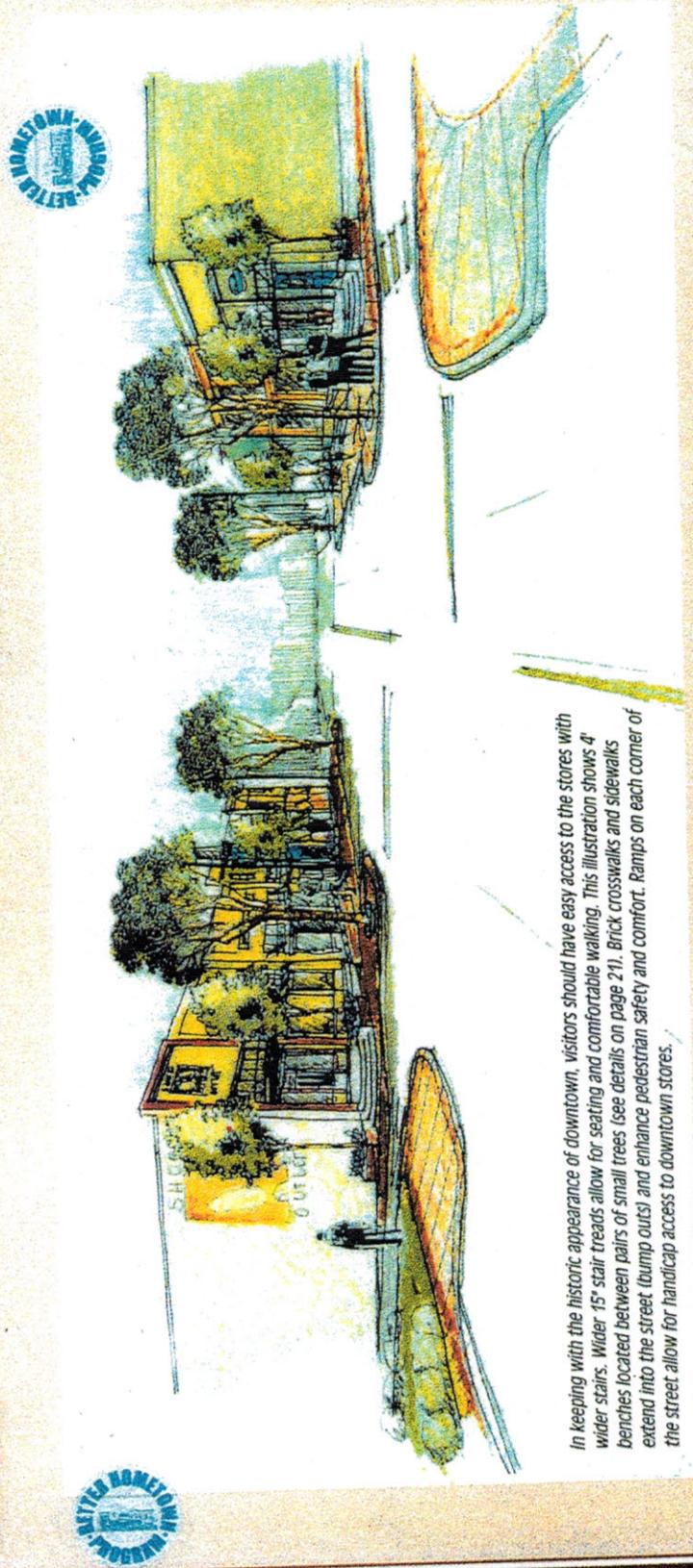
As stated earlier, West Point's multilevel sidewalks, designed to resist floods, add a unique historic character to the traditional streetscape. While this stepped character should be maintained and accented, creative design solutions will be needed to address handicap access and widen sidewalks to accommodate sidewalk dining and merchandising amenities. (See illustrations)

Where traffic lanes are now excessively wide, this space should be given back to the public as wider sidewalks with room for shade trees. Sidewalk dining and attractive outdoor merchandizing should be encouraged by the provision of an "amenities zone" close to the buildings. In some cases, railing or landscaping could be used to define these areas.

Existing pocket parks should be enhanced with seating and lighting. Bike lanes should be striped where possible. Traffic calming measures should be employed, especially in future design of major arterial roads.



Banners are another integral part of making people realize they are entering into a unique place. The designs of these banners are taken from artwork produced by 4th grade students at the elementary school. They depict West Point Back on Track, Art & Crafts Festival, Fishing Season and Fourth of July. The banners could be located on the John C. Barrow Bridge.



In keeping with the historic appearance of downtown, visitors should have easy access to the stores with wider stairs. Wider 15" stair treads allow for seating and comfortable walking. This illustration shows 4' benches located between pairs of small trees (see details on page 21). Brick crosswalks and sidewalks extend into the street (bump outs) and enhance pedestrian safety and comfort. Ramps on each corner of the street allow for handicap access to downtown stores.

All parking lots should be screened from pedestrian view, taking their cue from the parking lot at the West Point Stevens corporate building or the new parking area behind the buildings on Third Avenue. They should be shaded with canopy trees, well-maintained and attractive. Spaces should be clearly marked and adequate parking for disabled access should be provided.

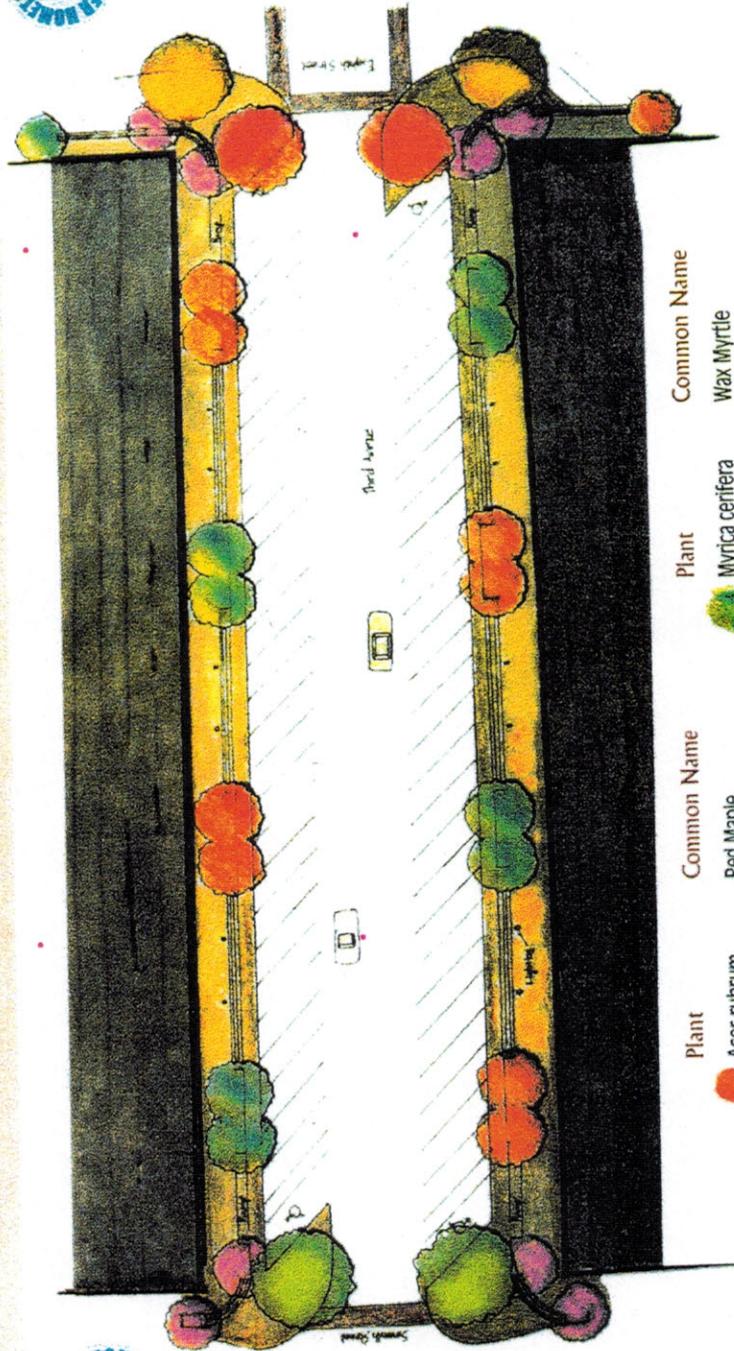
New streets like Highway 29's re-routed section should be defined with parallel columns of street trees to create a sense of enclosure and a softening effect for their foreign and inhospitable appearance. Turns into downtown from Hwy 29 should be emphasized.

The streetscape plans for Third Avenue presented here and for the former Eighth Street river crossing are key ingredients in knitting a fragmented town form back together. Speculative demolition, new incongruous commercial and institutional buildings, highway-sprawl architecture, and super-highway traffic management have

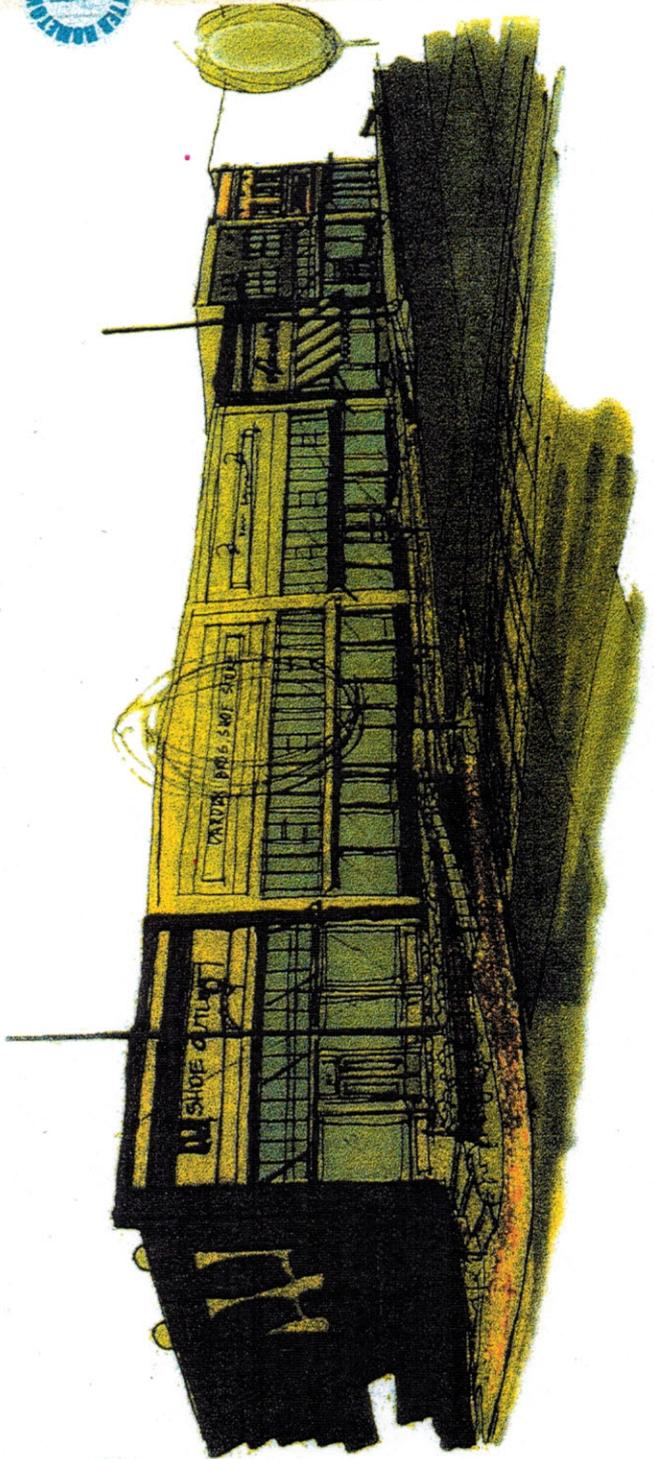
resulted in a frustrating and disjointed edge to downtown. Now is the time to tie the edges back to the center. Convenience stores, large asphalt parking lots, unused and uninviting park space, behemoth banks and shopping centers have no place in a human-scaled downtown. These elements should be replaced with more human-scaled design solutions.

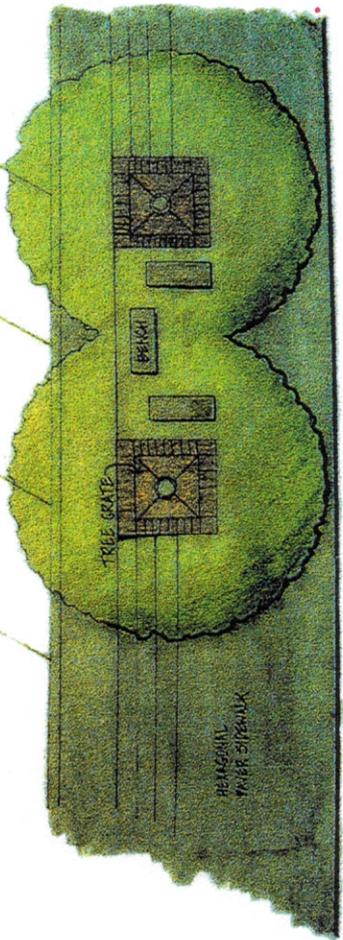
The areas along the US 29 corridor coming into town, while very attractive in some places, are beginning to show a sameness that is very apparent along US 29 through Alabama. This same highway sprawl should not spread into Georgia. Landscape buffers, clustered commercial buildings and median improvements would help curb the unsightly growth patterns that are creeping along the highway.

Special attention should be giving to the neglected and fragmented riverfront area (as detailed in the next section). Unsightly semi-temporary buildings and municipal or industrial clutter should be cleared or screened with vegetation.

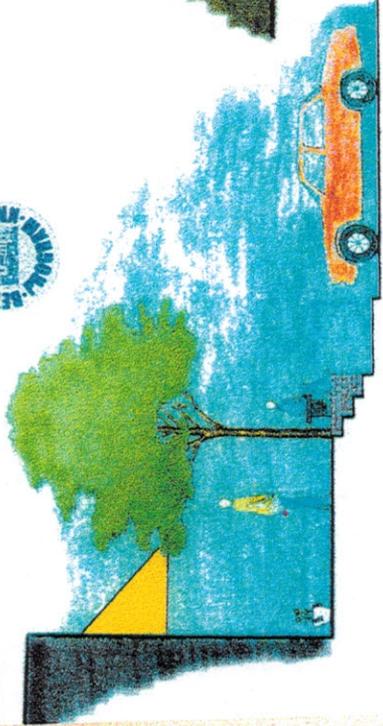


Plant	Common Name	Plant	Common Name
	Acer rubrum		Myrica cerifera
	Cercis canadensis		Ostrya virginiana
	Ginkgo biloba		Quercus phellos
			Wax Myrtle
			American Hophornbeam
			Willow Oak





Sidewalk seating area



Streetscape elevation



Trees in Downtown Boise



Trees provide important economic, environmental and aesthetic benefits.

Boise is the City of Trees, and downtown is its heart and soul. Thanks to years of planning and attention to detail, the City of Trees now enjoys a vibrant, diverse, safe and attractive downtown. The trees themselves have become a vital element in downtown's success.

Since Boise was founded, citizens have recognized the value of trees in the city. In 1952, the Boise Tree Ordinance was adopted. The ordinance is a group of laws

INFORMATION FOR PROPERTY OWNERS, MANAGERS AND TENANTS

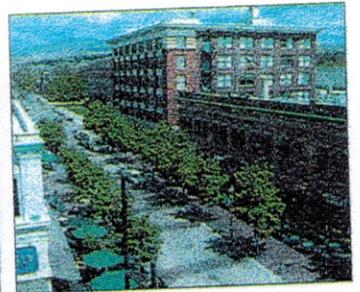
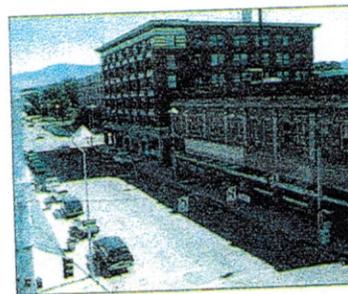
This flyer addresses frequently asked questions you might have about trees in downtown Boise (see over). If you have other questions, please contact Community Forestry or any of the other agencies actively involved downtown (see below).

governing trees in the public right-of-way (street trees). Boise Parks and Recreation Department's Community Forestry Unit is the agency charged with the management of street trees in Boise and the enforcement of the Tree Ordinance. To that end, Community Forestry offers free inspections and permits, which are required for planting, pruning or removal of trees in the public right-of-way.

STREET TREE BENEFITS

Trees provide many important benefits for the local economy, the environment and you! Trees in Boise are an invaluable source of shade and beauty, welcoming residents and visitors alike. Professional research shows that trees:

- Attract customers and encourage them to shop longer.
- Draw new businesses to the area.
- Increase marketability of property.
- Promote emotional and physical health.
- Increase job satisfaction, coping ability in employees.
- Improve pedestrian comfort and security.
- Decrease crime rate.
- Significantly reduce utility billing by shading buildings.
- Calm and slow traffic (increase store visibility!)
- Reduce pavement maintenance by shading and cooling.
- Improve air quality in often polluted downtown areas.
- Reduce noise, glare and ambient temperatures.
- Greatly improve aesthetics and livability.



This before-and-after comparison shows how street trees brought shaded comfort, beauty—and customers—to 8th Street.

CONTACTS:

Tree planting, pruning, care, more:
Boise Community Forestry; 384-4083;
www.cityofboise.org/parks/forestry

Sidewalks, flower pots, more:
Downtown Boise Association
472-5252; www.downtownboise.org

Streetscape standards, more:
Capital City Development Corp.
384-4264; www.ccdcb Boise.com

Streets, right-of-way, more:
Ada County Highway District
387-6100; www.achd.ada.id.us





COUNCIL STAFF REPORT

Dept. of Community Development

Agenda Item: Amendments to City Code of Ordinances

- **Create** Article III of Chapter 17
 - ROW landscaping regulations

Purpose: The addition of article III into section 17 of the City of West Point’s Code of Ordinances is intended to promote West Point’s beautification efforts by preserving urban forestry and landscaping that has been accomplished or has yet to be installed on public right-of-ways and sidewalks.

Background: This ordinance is being considered due to the importance of city trees along the streets of the city and in downtown and the increasing frequency of conflicts with the urban forest.

Related Material: Amendments being made

Revisions to Chapter 17

Chapter 17 - ~~STREETS AND SIDEWALKS~~ STREETS, SIDEWALKS, & RIGHT-OF-WAYS

FOOTNOTE(S):

--- (1) ---

Cross reference— Subdivisions, Ch. 18; parades, § 20-81 et seq.; zoning, App. A.

State Law reference— Authority to construct and maintain streets and roads, Ga. Const. art. 9, sec. 2, par. 3; powers with respect to municipal street system, O.C.G.A. § 32-4-92; power of city to open, close or extend public streets, alleys and sidewalks, O.C.G.A. § 36-34-3; street improvements, O.C.G.A. § 36-39-1 et seq.; executions for collection of assessments for paving streets and laying sewers, O.C.G.A. § 48-5-358.

ARTICLE I. - IN GENERAL

Sec. 17-1. - Red warning light required on obstruction; liability for failure to comply.

It shall be unlawful to obstruct any street of the city, whether with permission or not, unless red lights are placed in such positions as to give full and adequate warning at night to any person being unaware of such obstruction. (Code 1967, § 20-1)

State Law reference— Obstructing sidewalks or other public passages, O.C.G.A. § 16-11-43.

Sec. 17-2. - Leaving excavation open.

It shall be unlawful for any person, who having secured permission from the city council, and having made an excavation in the street, to leave such excavation open after completing his work, or to leave such excavation unguarded or without a railing of some kind around the excavation. (Code 1967, § 20-2)

State Law reference— Abatement of hazard from abandoned well or hole, O.C.G.A. § 44-1-14.

Sec. 17-3. - Encumbering streets and sidewalks.

No person shall block or encumber any street or sidewalk in the city without first securing the permission from the city manager to block or encumber such street or sidewalk, and then only for good and just cause, and only for such time as is absolutely necessary. A minor sidewalk encroachment in the downtown central business district for existing storefront property may be granted. The city manager may grant permission for minor sidewalk encroachments for such things as steps, stairways and handicap accessible ramps. Permission shall only be granted in situations that will not restrict the safety, convenience and comfort of the public use of sidewalks. A minor sidewalk encroachment application shall be submitted to the planning department and approved by the city manager prior to any work being initiated. (Code 1967, § 20-3; Ord. No. 2009-27, § 1, 9-9-09)

Sec. 17-4. - Blocking streets with building material; removal.

- (a) Owners or lessees or others occupying buildings on the sidewalks and streets of the city may place on sidewalks or streets, under the supervision of the code enforcement officer, material to be used in erecting new buildings or repairing the buildings or such sidewalks or streets.
- (b) When, in the code enforcement officer's opinion, any person shall use more of such sidewalk or street than is necessary or for a longer time than it is necessary for the purposes mentioned in this section, the code enforcement officer shall notify such person to appear before the judge of the municipal court and show cause why such obstruction should not be moved, and, if it should appear that the same has remained upon the sidewalk or street for longer time than necessary or that more space is being occupied than necessary, then such person shall be deemed guilty of violating this section and shall be punished in accordance with the provisions of section 1-14. In addition to the punishment above provided for, the person so offending shall be required to remove such obstruction within twenty-four (24) hours, and, upon failure to comply with such requirements, he shall be punished as provided in section 1-14 (Code 1967, § 20-4)

Sec. 17-5. - Burning of trash, leaves, etc., on streets prohibited.

It shall be unlawful for any person to burn leaves, trash, or any other matter upon the streets, sidewalks or alleys of the city. (Code 1967, § 20-5)

Sec. 17-6. - Numbering of houses.

It shall be the duty of the owner of every house abutting on any street within the city limits that is not already properly numbered with an approved number to place thereon a conspicuous house number to be approved by the city clerk-treasurer. When an old or incorrect number appears on any building it shall be the duty of the owner thereof to remove the same and replace it with the correct number approved by the superintendent of streets. (Code 1967, § 20-9)

Sec. 17-7. - Railroad crossing to be constructed, maintained.

It shall be unlawful for any railroad company whose road crosses any of the streets in the city to fail, or neglect, or refuse, on being notified, to have a suitable crossing made and kept in good repair at the different points where such roads cross the streets, alleys, ways, and public roads in the city; or for any railroad company to refuse or neglect or fail to put in good traveling order all roads in the city turned or changed for the benefit of such railroad. (Code 1967, § 20-12)

Secs. 17-8—17-30. - Reserved.

ARTICLE II. - MAINTENANCE AND REPAIR

Sec. 17-31. - Superintendent of streets and sewers.

The superintendent of streets and sewers shall superintend the working of the streets under the direction of the street committee. He shall be responsible for and have the custody of the vehicle and equipment provided for such work. He shall cause to be removed all obstacles which he may find in the streets, alleys, sewers, drains, ditches, sidewalks and pavement, and, if any person creating such obstruction shall fail or refuse to remove same, he shall report such facts to the mayor. (Code 1967, § 20-23)

Sec. 17-32. - Street cuts.

Any person engaged in the plumbing business, or any other person who shall desire to install any pipe, water connection or gas pipe in or under the public streets in the city, and who shall desire to make any excavation in or under such streets for such purpose, or who shall desire to make any excavation in or under said streets for any other purpose, shall be required before commencing such excavation to file a written application as hereinafter set forth and obtain a written permit from the street superintendent, together with the approval of the clerk-treasurer for the right and authority to make such excavation. (Code 1967, § 20-24)

Sec. 17-33. - Unauthorized excavations; removal of earth

It shall be unlawful for any person not authorized by the city council to do so to make any excavation of any kind in the streets of the city. Nor shall any person take away or remove any earth from any street in the city without first receiving the permission of the city council. (Code 1967, § 20-25)

Sec. 17-34. - Penalty for making excavation without complying with chapter.

Any person, except employees of the city, who shall make any excavation in or under the public street without first complying with the provisions of this article shall be guilty of an offense and upon conviction shall be punished according to the provisions of section 1-14. (Code 1967, § 20-26)

Sec. 17-35. - Responsibility of plumbers for damage to sewers and streets.

The plumber who makes any house connection with the public sewer shall be held responsible for any damage he may do to the sewer or street; and he shall restore the street to as good condition as it was at the beginning of his work. Should any person fail to make such repairs to the streets and sidewalks as are necessary to restore them to as good condition as they were at the beginning of his work, then the street superintendent shall make such repairs, and for such work there shall be made by the city a reasonable charge against such person; provided, that where such work is on a paved street or sidewalk, the minimum charge shall be three dollars (\$3.00) for each square yard or any part thereof. (Code 1967, § 20-27)

ARTICLE III. – CITY PROPERTY & R.O.W. LANDSCAPING.

Sec. 17-51. – Purpose

It is the purpose of this ordinance to promote and protect the public health, safety and general welfare by providing the regulation of the planting, maintenance and removal of trees, shrubs and other plants within the right of ways and other public property of the City of West Point.

Sec. 17-52. - Authority & Enforcement.

- (a) The City of West Point Public Works Director and the City Manager are designated to administer the provisions of the ordinance.
- (b) The City of West Point's code enforcement officer(s) are designated with the authority to issue notices, citations, and fines for violations.

Sec. 17-53. - Applicability.

This ordinance provides full power and authority over all trees, plants and shrubs within street rights-of-way, parks and public places of the city.

Sec. 17-54. - Definitions.

- (a) City Tree- Any tree that is located on an easement, right of way, street median, public park, public space or sidewalk of the City of West Point
- (b) Right-of-Way.-The area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the municipality has an interest.
- (c) Topping is defined as the severe cutting back of limbs to stubs within the tree's crown to such a degree as to remove the normal canopy and disfigure the tree.

Sec. 17-55. - Licensing.

It shall be unlawful for any person to engage in the business of planting, cutting, trimming, and pruning, removing, spraying or otherwise treating city trees, shrubs or vines within street rights-of-way, parks and public places of the city.

Sec. 17-56. – Guidelines; Pruning, Removal, Signs, Reporting a Problem

- (a) Whether it is a limb obstructing a stop sign or a city tree in front of a storefront, trees in any community require annual inspections and regular pruning to prevent tree/sign conflicts. "Crown lifting" is a technique used by arborists to remove the tree's lowest limbs over several years. This is done gradually so that no more than a third of the living crown is removed during a single pruning. Eventually, the lowest part of the crown is 8 to 14 feet above the sidewalk, out of the way of street-level signs, vehicles and vandals.
- (b) City trees will be evaluated annually and pruned when needed. Every effort will be made to keep city trees from being in contact with storefronts, awnings or arm signs.
- (c) Topping — It shall be unlawful as a normal practice for any person, firm or city department to top any city tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this ordinance at the determination of the City.

- (d) If a city tree is determined to be diseased, dying or dead the city will remove the tree and replace with the same variety, a comparable variety or if conditions have changed a variety that is suitable for the location.
- (e) Trees blocking existing signs may be pruned if the city determines that the pruning is within normal maintenance practices and will not harm the tree or its aesthetic quality.
- (f) New sign locations should be selected to avoid conflict with city trees.
- (g) Any person wishing to report a city tree issue may contact West Point City Hall.

Sec. 17-57. – Penalties, Claims, & Appeals

Any person who violates any provision of this ordinance or who fails to comply with any notice issued pursuant to provision of the ordinance, upon being found guilty of violation, shall be subject to a fine not to exceed \$500 for each separate offense. Each day during which any violation of the provisions of this ordinance shall occur or continue shall be a separate offense.

Downtown River Park

Professional Services	\$10,000.00	Budget
Site Improvements	\$180,000.00	Budget/Bid
Gas Station Remediation	\$18,000.00	Actual
Building Renovation	\$100,000.00	Budget
Aquatic Feature	\$50,000.00	Budget
Boat Ramp	\$50,000.00	Budget/Bid
Total Project Estimated Cost	\$408,000.00	
Hyundai Dymos Donation	\$300,000.00	
Funds Needed	\$108,000.00	



DOWNTOWN RIVER PARK PROJECT