



Legislation Details (With Text)

**File #:** 18-2037      **Version:** 1      **Name:** 12/3/18 Resolution in Opposition to SB 1188  
**Type:** Resolution      **Status:** Passed  
**File created:** 12/3/2018      **In control:** City Council  
**On agenda:** 12/3/2018      **Final action:** 12/3/2018  
**Enactment date:** 12/3/2018      **Enactment #:** R-18-481

**Title:** Resolution to Express the City of Ann Arbor’s Opposition to SB 1188, the so-called Vegetation Removal Pre-emption Bill  
**Sponsors:** Christopher Taylor, Anne Bannister, Jane Lumm, Ali Ramlawi, Kathy Griswold, Jack Eaton, Zachary Ackerman

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
12/3/2018	1	City Council	Approved	Pass

Resolution to Express the City of Ann Arbor’s Opposition to SB 1188, the so-called Vegetation Removal Pre-emption Bill  
During the 2018 lame duck session of the Michigan Legislature, a bill was introduced in the Michigan Senate that proposes to severely curtail the ability of local municipalities to require the protection of heritage trees and the cultivation of urban green spaces in our communities. The bill would forbid municipalities from requiring the removal of any tree or vegetation or to require the planting of any tree or vegetation in an agricultural, business, commercial, or industrial zoning classification. In addition, the bill would void any ordinance, charter provision, or regulation that contradicts these provisions. In effect, this bill would completely gut the city’s ability to protect and promote the urban forest and green spaces on private property in the city of Ann Arbor.

A coalition of communities and professional associations in the state, including the Michigan Municipal League, the Michigan Township Association, the Michigan Association of Planners, SEMCOG, and the Michigan Environmental Council have voiced opposition to the bill and have suggested amendments. However, the amendments do not address the core issues with the legislation: That it will severely curtail Ann Arbor’s heritage tree ordinance and that it will preempt the city from requiring the protection and cultivation of green spaces in property developments.

Prepared by: John Fournier, Assistant City Administrator

Approved by: Howard S. Lazarus, City Administrator

Whereas, The City of Ann Arbor is a community that has always valued its urban forest and has endeavored to protect and cultivate green spaces throughout the city as a way to promote a high quality of life;

Whereas, The presence of a single mature tree can increase the value of a property by an average of \$7,130.00, and the presence of more lush landscaping can have an even greater effect, making properties, neighborhoods, and entire communities more desirable, more economically stable, and more successful;

Whereas, The presence of permeable landscaping decreases flash flooding risk and protects properties from water damage, while the presence of landscaping can also be used to create audio and visual barriers between properties of competing uses, thus preserving a high quality of life;

Whereas, Cultivating and protecting green space in urban cores can help combat climate change by providing more opportunities for the conversion of CO<sub>2</sub> into oxygen, and by ameliorating the heat island effect in some places; and

Whereas, The issue of development review and approval is a local issue, not a state issue, and the state legislature should not preempt the authority of local municipalities to plan and build their own streets, properties, and neighborhoods;

RESOLVED, That the City Council calls for the defeat of SB 1188, or for it to be amended so that the city's existing ordinances and powers related to landscaping and vegetation in private property development are left intact; and

RESOLVED, That the City Council requests that Governor Snyder veto SB 1188 should the legislature pass it in its current form or in a similar form and it arrives at his desk for his approval.

Sponsored by: Mayor Taylor and Councilmembers Bannister, Lumm, Ramlawi, Griswold, Eaton and Ackerman