

# Memorandum



DATE January 20, 2011

TO Honorable Members of the Quality of Life Committee: Pauline Medrano (Chair), Vonciel Jones Hill (Vice Chair), Carolyn R. Davis, Sheffie Kadane, David A. Neumann, Steve Salazar

SUBJECT Revisions to Article X – Tree and Landscaping Ordinance Briefing

On Monday, January 24, 2011, you will be briefed on the Revisions to Article X – Tree and Landscaping Ordinance. The briefing will be presented by Robert Curry, Chair of the Urban Forest Advisory Committee. The material is attached for your review.

If you have questions or need additional information, please let me know.



Forest E. Turner  
Assistant City Manager

cc: Honorable Mayor and Members of the City Council  
Mary K. Suhm, City Manager  
Deborah A. Watkins, City Secretary  
Thomas P. Perkins, Jr., City Attorney  
Craig D. Kinton, City Auditor  
C. Victor Lander, Administrative Judge  
Ryan S. Evans, First Assistant City Manager  
A.C. Gonzalez, Assistant City Manager  
Jill A. Jordan, P.E., Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Frank Libro, Public Information Office  
Helena Stevens-Thompson, Assistant to the City Manager

**City of Dallas Urban Forest Advisory Committee**

# **Revisions to Article X Tree and Landscaping Ordinance**

**Presented to the:  
Quality of Life Committee  
January 24, 2011**

**Robert Curry  
Chairman, UFAC**



# Why Trees

- Integral to overall air quality improvements
  - Large trees 70 times more important than small ones
- Reduce heat island effect and lowers utility bills for residents
- Remove toxins from soil and reduces stormwater runoff
- An important amenity to quality of life

# Why Revise the Ordinance

- Increased awareness that trees are an important element in addressing air, water and quality of life issues
- Development community contends that the current ordinance is a burden
- Tree advocates contend that the ordinance passed in 1994 failed to preserve trees

# Timeline

- 1994 -Modified tree ordinance established
- 2005 -Urban Forest Advisory Committee (UFAC) formed
- September 2007 - Ordinance revision process began by UFAC
- June 15, 2009 - Public hearing
- 2009 -Collaboration with Green Building Task Force include development input

# Timeline (continued)

- 2010 - Representatives from development community, Real Estate Council, Home and Apartment Builders Association, Oak Cliff Chamber of Commerce, and architects
- 2010 - Review and discussion with City technical staff support
- 2010 - Concluded with agreed conceptual changes and established a sustainability matrix to reward developers for best practices

# Timeline (continued)

- Received input from environmental groups such as Save Open Space and several individuals
- The changes agreed during this process were concurred in by UFAC on January 4, 2011
- Subsequent suggested changes have been received but are not concurred by all groups

# Summary of Changes

- Many proposed changes are “fine tuning” the existing ordinance;
  - Staff is given more discretion to allow more flexibility in plan review process
  - Establish a user-friendly “technical manual” to specify standards and procedures for various issues, for example:
    - Lists of acceptable and prohibited plant species
    - Tree spacing
    - Standards for tree protection during construction
    - In general, issues that can change over time

# New Ordinance Features

- Incentive Matrix
  - A list of sustainable practices that a developer can use to lower tree mitigation costs
- Provide for “Historic Trees” with increased mitigation costs
- Encourages native plant species to reduce water use and improve neighborhood appeal

# New Ordinance Features (2)

- Changes to tree removal
  - Establishes credit for transplanting trees on property from which they were removed
  - Increased cost for removing large irreplaceable Historic Trees
- Reforestation Fund
  - Allow donated wooded land
  - Expand to allow education of Quality Tree Conservation and Sustainable Development Incentives

# New Ordinance Features (3)

- Additional measures to preserve trees during construction
- Ordinance violations
  - Authorize use of aerial photographs in assessing fines for illegal removal

# Additional Suggestions (not concurred)

- Find a method to permit reforestation funds to be used for trees on private property
- Eliminate the 2 acre residential exemption
- Restrict “clear cutting” of development sites
- Amend 51A-4.702 to limit exemption of Article X from planned development districts
- Require licensing of tree services

# Conclusion

- We request the Quality of Life Committee send UFAC's recommendations forward for consideration by the Zoning Ordinance Committee