

Memorandum



DATE November 11, 2011

TO Honorable Members of the Quality of Life Committee: Angela Hunt (Chair),
Sandy Greyson (Vice Chair), Monica R. Alonzo, Dwaine R. Caraway, Carolyn R.
Davis

SUBJECT An Update for Revisions to Article X Tree and Landscaping Ordinance

On Monday, November 14, 2011, you will be briefed on An Update for Revisions to Article X Tree and Landscaping Ordinance by Robert Curry, Chairman 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

Attachment

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

Quality of Life Committee

Monday, November 14, 2011

Presented by:

Robert Curry

Chairman, Urban Forest Advisory
Committee

An Update for Revisions to Article X Tree and Landscaping Ordinance



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 , Dallas Historic Tree Coalition 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 and Heritage 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)

- 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

Conclusion

- The Quality of Life Committee voted to move the ordinance forward but was deferred because of redistricting, budget, and Council elections
- We ask that the remaining unsolved issues get resolved as quickly as possible and then begin a draft of the ordinance with all proposed changes