# City of Dallas

## Legislation Details (With Text)

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| **File #:** | 20-1617 | **Version:** 1 | **Name:** |
| **Type:** | CONSENT AGENDA | **Status:** | Approved |
| **File created:** | 8/14/2020 | **In control:** | Department of Sustainable Development and Construction |
| **On agenda:** | 9/9/2020 | **Final action:** | 9/9/2020 |
| **Title:** | An ordinance amending Chapter 51A, "Dallas Development Code" Section 51A-10.135(i) of the Dallas City Code to provide a means to use the Reforestation Fund to plant trees on private property in certain situations - Financing: No cost consideration to the City | | |
| **Sponsors:** | | | |
| **Indexes:** | 100 | | |
| **Code sections:** | | | |
| **Attachments:** | 1. Ordinance | | |

| Date | Ver. | Action By | Action | Result |
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**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** September 9, 2020

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Department of Sustainable Development and Construction

**EXECUTIVE:** Majed Al-Ghafry

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## SUBJECT

An ordinance amending Chapter 51A, "Dallas Development Code" Section 51A-10.135(i) of the Dallas City Code to provide a means to use the Reforestation Fund to plant trees on private property in certain situations - Financing: No cost consideration to the City

## BACKGROUND

On May 26, 2020, the Government Performance and Financial Management Committee was briefed on the proposed amendments and recommended forwarding it to City Council for consideration.

The tree preservation/conservation requirements of Article X were first adopted by City Council in 1994 and most recently amended in June of 2018.

General Information

Article X establishes tree mitigation requirements for trees removed to accommodate development and provides the option of contributing to a reforestation fund to meet mitigation requirements.

The reforestation fund may be used for forest management, the acquisition of trees to be planted on public property and the acquisition of wooded property, but, currently, there is no provision to allow the use of funds to plant trees on private property.

As a result of tornadoes in October 2019, the City's tree canopy suffered severe damage in the path of the storm. Property owners, the City of Dallas, and partner organizations wish to restore trees lost or severely damaged during the storm.

Proposal

The proposed amendments allow the director to administer the Reforestation Fund to purchase trees to plant on private property in response to natural deforestation events, a recorded weather event which causes localized catastrophic tree failure and irreparable structural tree damage resulting in a loss of the urban forest canopy. The property must be an existing single-family or duplex use in a residential district and located within a declared federal, state, or local disaster area; or declared eligible for reforestation by the City Council.

A minimum of one of the following must be provided in determining whether an area has been affected by a natural deforestation event:

- A tree survey or forest stand delineation that meets minimum requirements established by the director
- Physical evidence by the owners of individual lots documenting individual tree loss

All reforestation tree planting projects on private property must be conducted from October through March. Reforestation fund expenditures are limited to the purchase and provision of trees, not to be spent on installation or maintenance.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On May 26, 2020, the Government Performance and Financial Management Committee was briefed on the proposed amendments and recommended forwarding to City Council for consideration.

In 1994, City Council first adopted the tree preservation/conservation requirements of Article X.

On June 27, 2018, City Council held a public hearing regarding consideration of amendments to Chapter 51A of the Dallas Development Code, Article X the Landscape and Tree Preservation regulations and authorized an ordinance granting the amendments by Resolution No. 18-0977; Ordinance No. 30929.

**FISCAL INFORMATION**

No cost consideration to the City.