

Article X Amendment Proposal
From the Article X Subcommittee of the Green Building Task Force

The Green Building Task Force is dedicated to the development of Dallas in a sustainable, environmentally friendly fashion, including the preservation of our quality trees and forest stands. To this end, the Article X Subcommittee of the Green Building Task Force is recommending the adoption of the Quality Tree Conservation and Sustainable Development Incentives (Incentives) along with other changes to Article X. These recommendations are the result of years of discussion and negotiations between advocates for tree preservation and the development community. We believe that these recommendations, when enacted as a single amendment, further all our causes and represent a great leap forward for the City of Dallas.

Article X – General Amendments

Article X should be modified to include the following issues:

- A) Authorize staff to approve alternative methods to comply with the requirements of this article in situations where it is determined that it is not practicable or desirable to conform to a strict interpretation of the article. Situations where this could apply include but are not limited to the following: 1) relocating or modifying tree species when the required tree plantings interfere with utility lines or easements. 2) requiring alternative plant species where invasive plant have been recommended on landscape plans. 3) providing for modifications or exemptions of landscape requirements should lot size or configuration, or the location of utility easements make strict compliance impracticable. All decisions by staff may be appealed to the Board of Adjustments.
- B) Provide for a definition of “Historic Trees” that would have five times the mitigation costs that are otherwise mandated by this ordinance. Historic Trees will be defined as trees that have a significant cultural connection with the citizens of Dallas and those cultures living in the area prior to the late 1800’s or are the lone living witnesses to historic events. All historic trees must be designated as such by the Landmark Commission under guidelines outlined in Article X.
- C) Conservation easements should provide credit against tree mitigation costs on a 1-for-1 basis of the caliper inches of the protected trees within the easement. All Historic trees will count five times the normal caliper inches.
- D) The use of funds in the Reforestation Fund should be expanded to include not only the acquisition of trees, but also the funding of an educational program as outlined in the Quality Tree Conservation and Sustainable Development Incentives.
- E) Palm trees may not be used to satisfy landscaping requirements.

Quality Tree Conservation and Sustainable Development Incentives

The Quality Tree Conservation and Sustainable Development Incentives (Incentives) is an alternative method by which developers can offset their tree mitigation costs. This method can be used in addition to planting replacement trees and/or writing a check to the reforestation fund. The Incentives give a developer credit for:

- building a greener, more sustainable project than that mandated by normal ordinance by utilizing criteria developed by LEED, ISWM, Green Built Texas and others
- educating their contractors and management team on best practices for tree protection and maintenance both during and after construction
- utilizing drought-resistant non-turf landscaping
- conserving the biggest and the best of our trees

In order to calculate how much mitigation costs may be offset via the Incentives, a property is assigned a point value based upon the quality of the trees that occupy the property prior to development. Then, contingent upon the quality of the future development, defined in terms of preserving the highest quality trees and building the project to higher standards than mandated by law, the project is awarded points. A credit against tree mitigation costs is then calculated based upon point assigned to the property prior to construction vs. points earned from the development. The following document is the conceptual worksheet that has been developed by the Article X Subcommittee of the Green Building Task Force that both values a property and applies a credit based upon how the project is designed and implemented.

The first step in determining what, if any, credit will be given for a project is to perform an evaluation of the current site. A project is allocated site points based on the total canopy coverage of all trees as well as the percentage of protected trees that are greater than 12 inches in the project area. These site points are used as the basis for determining any potential credits to tree mitigation costs. The more canopy coverage and caliper inches of large protected trees there are on a given site, the higher the points and the threshold for obtaining tree mitigation credits.

A development can potentially earn points to offset its tree mitigation costs through the implementation of sustainable practices that exceed those minimum standards dictated by current ordinances. They can do so in four categories: 1) Education & Implementation, 2) Site Design/Location, 3) Landscaping, and 4) Conservation of Quality Trees. The points earned in each of the categories will be applied against the total site points to determine the total percentage of credits available to offset tree mitigation costs.

Education and Implementation by Contractors: The City of Dallas will design a curriculum that will teach about sustainable development practices as it pertains to trees. Included in the curriculum will be best management practices for incorporating tree

preservation and protection during the development process. The class will be made available online or via independent providers that have been approved by the City.

Site Location/Design: Using criteria developed by LEED, ISWM, Green Built Texas and others, points can be earned by a project that incorporate sustainable practices into its building and site plan. This category includes hardscape permeability, storm water management, site location, preservation of natural waterways, usage of renewable energy and the energy efficiency of the building. Additional points are awarded to developments that utilize existing transportation facilities such as rail stations and hike/bike trails.

Landscaping: Points are available for non-turf landscaping, native/drought tolerant turf, landscape designs that are at least 75% native/drought tolerant, usage of drip irrigation and protection of tree roots through the use of mulch and/or rock. Additional points are earned by increasing the soil planting areas for trees and shrubs, adding water supply outlets, meeting more than the minimum design standards or protecting existing trees with galvanized fencing during construction.

Conservation of Quality Trees: Utilizing criteria developed by the City Arborist, points are awarded for the preservation of the both “Quality Forested Areas” (QFA) and the larger tree specimens. Points are awarded for the conservation of three categories of trees.

- Trees with 12-24 caliper inches
- Trees with 25 or more caliper inches
- Quality Forested Areas

Similar to conservation easements, QFA’s will be preserved via deed restrictions and determined on a case-by-case basis with the City Arborist. QFA’s will vary from site-to-site, but will, at a minimum, contain a diverse tree inventory along with healthy undergrowth.

Upon completion of a development, the City would confirm the points earned via the Incentives. These points will be applied against the total site points as determined by the original tree conditions. The resulting percentage would be used to offset the tree mitigation costs. The anticipated result will be projects that are built in a more environmentally sustainable fashion, creating a greener Dallas.