

SEC. 51A-10.101 DEFINITIONS

In this article:

() ANSI A300 means the American National Standard for Tree Care Operations, including all parts, as amended.

(1) ARTIFICIAL LOT means an area within the building site that is delineated by the building official or the director of park and recreation for the sole purpose of satisfying the requirements of this article (see Section 51A-10.122).

() BOUNDARY TREE means a tree growing on a property boundary line between two lots resulting in joint ownership by the adjacent property owners when the trunk exists on each property, or a tree that has 20 percent or more of its critical root zone extending across a property boundary and into an adjacent property.

(2) CALIPER means:

~~—— (A) for a single stem tree, the diameter of the trunk measured 12 inches above the ground for a tree having a diameter up to and including eight inches, and measured at four and one-half feet above the ground for a tree having a diameter of more than eight inches.~~

~~—— (B) for multi-stem trees, the diameter of the trunk measured at the narrowest point below branching when branching occurs higher than 12 inches above the ground. When branching occurs at or lower than 12 inches above the ground, caliper means the diameter of the largest stem plus the average diameter of the remaining stems, measured at four and one-half feet above the ground.~~

The measurement of a nursery stock tree for landscape installation as determined in the American Standard for Nursery Stock (ANSI Z60.1), as amended.

(3) CANOPY TREE means a species of tree that normally bears crown foliage no lower than six feet above ground level upon maturity.

(4) CLEARING means any activity that removes or seriously injures one or more trees or the vegetative ground cover of one or more trees, such as root mat removal or topsoil removal.

(5) CRITICAL ROOT ZONE means the circular area of ground surrounding a tree extending a distance of one foot per ~~caliper~~ diameter inch of the tree, measured from the tree trunk or stem.

() DEVELOPMENT IMPACT AREA means the area of land or vegetation alteration within a property boundary including, but not limited to, clearing, grading, excavating, filling, and any construction, paving, or any other installation.

(6) ENHANCED PAVEMENT means any permeable or nonpermeable decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.

(7) EVERGREEN TREE OR SHRUB means a tree or shrub of a species that normally retains its leaves throughout the year.

(8) FLOOD PLAIN means any land area susceptible to inundation by the hundred-year frequency flood.

() FOREST STAND DELINEATION means a comprehensive assessment of the conditions of a property using multiple types of information, including, but not limited to, a tree survey, aerial imagery collected from private or public sources, natural resources assessments, topographic maps, management plans, a map of conservation areas, land use maps, etc., to provide the required data to determine tree replacement requirements and forest conservation objectives.

(9) GRADING means any digging, scooping, removing, depositing or stockpiling, of earth materials.

(10) GROUND COVER means natural mulch, or plants of species that normally reach a height of less than three feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.

() HISTORIC TREE means any tree that has been recognized by resolution of the city council to have a significant cultural or historical connection with the citizens of Dallas. A tree cannot receive historic designation unless the property owner approves of the status, and then the status applies to all following property owners. The tree may not be removed without authorization of the city council or as stipulated by Section 51A-10.140.

(11) HUNDRED-YEAR FREQUENCY FLOOD means the flood having a one percent chance of being equalled or exceeded in any given year. This flood is based upon the drainage area being fully developed to current zoning limitations.

() INVASIVE PLANT means a plant 'whose introduction does or is likely to cause economic or environmental harm or harm to human health' and has been classified as invasive to the Dallas region by Texas Parks and Wildlife or the Texas Department of Agriculture.

(12) LANDSCAPE ARCHITECT means a person licensed to use the title of "landscape architect" in the State of Texas in accordance with state law.

~~(13) LANDSCAPE AREA means an area at least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials (excluding screening).~~ means an area of soil surface covered by natural grass, ground cover, or other natural plant materials maintained on a property for the sole purpose of landscaping application and growth and establishment of trees.

(14) LANDSCAPE BUFFER STRIP means a landscape area that serves a buffer function.

(15) LARGE SHRUB means a shrub that normally reaches a height of six feet or more upon maturity.

(16) ~~LARGE TREE means a tree of a species that normally reaches a height of 30 feet or more upon maturity.~~ a tree which may typically attain a canopy height of 50 feet or greater and 50 feet or greater in width at maturity, or as classified by the director.

() LEGACY TREE means a large canopy tree planted in a landscape area of 500 square feet or greater or a medium canopy tree planted in a landscape area of 400 square feet or greater, in a development using Sustainable Development Incentives for the specific purpose of actively establishing and maintaining unencumbered sustainable large shade trees for future generations.

(17) LOT means:

- (A) a "lot" as defined in Section 51A-2.102; and
- (B) an "artificial lot" as defined in this section.

(18) LOT WITH RESIDENTIAL ADJACENCY means any of the following:

- (A) A building site containing a multifamily use that is adjacent to or directly across:
 - (i) a street 64 feet or less in width; or
 - (ii) an alley;

from private property in a single family, duplex, townhouse, or CH district.

- (B) A building site containing a nonresidential use that is adjacent to or directly across:
 - (i) **a street 64 feet or less** in width; or
 - (ii) an alley;

from private property in an agricultural, single family, duplex, townhouse, CH, multifamily, or manufactured housing district.

(C) An artificial lot containing a multifamily use if the lot is less than 200 feet from private property in a single family, duplex, townhouse, or CH zoning district.

(D) An artificial lot containing a nonresidential use if the lot is less than 200 feet from private property in an agricultural, single family, duplex, townhouse, CH, multifamily, or manufactured housing zoning district.

() MEDIUM TREE means a tree which may typically attain a canopy height of 30 feet or greater and 15 feet to generally less than 50 feet in width at maturity, or as classified by the director.

(19) NONPERMEABLE COVERAGE means coverage with any pavement that is not "permeable pavement" as defined in this section.

() NURSERY STOCK means a plant grown in or obtained from a nursery.

(20) PERMEABLE PAVEMENT means a paving material that permits water penetration to a soil depth of 18 inches or more. Permeable pavement may consist of nonporous surface materials poured or laid in sections not exceeding one square foot in area and collectively comprising less than two-thirds of the total surface area.

 () PEDESTRIAN PATHWAY means an unobstructed space intended solely for the use of pedestrians and being provided for pedestrian circulation and distinguished from parking and driving surface by landscape barriers or a change in surface materials such as pavers, patterned concrete, or flagstones.

(21) PRIVATE PROPERTY means any property not dedicated to public use, except that "private property" does not include the following:

(A) A private street or alley.

(B) Property on which a utility and public service use listed in Section 51A-4.212 is being conducted as a main use.

(C) A railroad right-of-way.

(D) A cemetery or mausoleum.

(22) PROTECTED TREE means:

(A) ~~a tree that has a caliper of eight inches or more and is not one of the following trees:~~

(i) ~~Acer saccharinum (Silver Maple).~~

(ii) ~~Ailanthus altissima (Tree of Heaven).~~

(iii) ~~Albizzia julibrissen (Mimosa or Silktree).~~

(iv) ~~Celtis occidentalis/ laevigata (Hackberry or Sugarberry).~~

(v) ~~Fraxinus velutina (Arizona Ash).~~

(vi) ~~Juniperus virginiana (Eastern Red Cedar)[unless protected under subparagraph (B).]~~

(vii) ~~Maclura pomifera [female only] (Bois d'Arc or Horseapple).~~

(viii) ~~Melia azedarach (Chinaberry).~~

(ix) ~~Prosopis glandulosa (Mesquite) [unless protected under subparagraph (B).]~~

(x) ~~Salix nigra (Black Willow).~~

(xi) ~~Sabium sebiferum (Chinese Tallow).~~

~~_____ (xii) *Ulmus pumila* (Siberian Elm).~~

~~_____ (B) an Eastern Red Cedar (*Juniperus virginiana*) or Mesquite (*Prosopis glandulosa*) tree that has a caliper of eight inches or more and the trunk is located:~~

~~_____ (i) in, or within 120 feet of the boundary of: a floodplain [as defined in Article V]; a wetland area [as defined in federal environmental regulations]; or an escarpment zone [as defined in Article V];
or~~

~~_____ (ii) within 50 feet of a natural channel setback line [as defined in Article V].~~

~~_____ (C) an Eastern Red Cedar (*Juniperus virginiana*) or Mesquite (*Prosopis glandulosa*) tree that has a caliper of at least 12 inches; or~~

(A) means trees of all species that are at least eight (8) inches in diameter except for trees identified as unprotected in this section, and

(B) any tree in a stand which projects a tree canopy coverage over a lot or tract when identified within a Forest Stand Delineation review, and

(C) a tree that was planted as a replacement tree.

UNPROTECTED TREE is the following:

Callery pear (all cultivars)

Chinaberry

Chinese tallow

Palm (all plants in *Palmae*)

Tree-of-heaven, or *Ailanthus*

(23) REMOVE OR SERIOUSLY INJURE means an intentional or negligent action that will more likely than not cause a tree to decline and die within five years of the act. Actions that constitute removing or seriously injuring a tree include, but are not limited to: cutting down a tree; excessively pruning or topping a tree; compacting the soil above the root system of a tree; changing the natural grade above the root system of a tree; damaging the root system or the trunk of a tree (such as by operating machinery near, or by clearing or grading the area around, the trunk of a tree); failing to repair an injury to a tree from fire or other causes, which results in or permits tree infections or pest infestations into or on the tree; applying herbicidal or other lethal chemicals; and placing nonpermeable pavement over the root system of a tree.

(24) RESPONSIBLE PARTY means the property owner and any other person or entity responsible for removing or seriously injuring a protected tree.

(25) REPLACEMENT TREE means a tree that is planted in accordance with Section 51A-10.134.

(26) SCREENING means screening that complies with Section 51A-4.602, except as those regulations may be expressly modified in this article.

() SIGNIFICANT TREE means a healthy native tree that because of age, size, unique type, or natural and historical significance are of special importance to the City, and meets the following size requirements:

A post oak measured at a minimum of 12 inches in diameter or greater.

All oaks, pecan, cedar elm, American elm, bois d'arc, eastern redcedar, and chittamwood of 24 inches in diameter or greater.

(27) SMALL TREE means ~~a tree of a species that normally reaches a height of less than 30 feet upon maturity.~~ a tree that may attain a height of up to 30 feet at maturity, or as classified by the director.

(28) SOIL means a medium that plants will grow in.

() SUSTAINABLE DEVELOPMENT INCENTIVE means an optional alternative method of compliance that applies sustainable development, tree preservation practices, and tree mitigation reductions based on providing large or medium canopy 'legacy' trees in enhanced soil surface planting environments for a projected increase of the tree canopy coverage on the property.

() TOPPING means the reduction of tree size using internodal cuts without regard to tree health or structural integrity. Topping is not an acceptable practice. (ANSI A300 Part 1)

() TREE CANOPY COVER, or TREE CANOPY COVERAGE, means the amount of ground area directly beneath a tree's crown or the combined crowns of a stand of trees, measured in square feet.

(29) TREE SURVEY means a report that meets all of the requirements for a tree survey in Section 51A-10.132.

(30) UNDERSTORY means a grouping of natural low-level woody, herbaceous plant species, or plants that normally reach a height of less than three feet upon maturity.

() URBAN TREE means a tree of size, species, and habit that is determined to be suited for planting in a limited surface soil environment and in restrictive air space for optimum tree canopy growth.

(31) VISIBILITY TRIANGLE means the term "visibility triangle" as defined in Section 51A-4.602.

(32) WATER COURSE means a natural or constructed channel for the flow of water. (Ord. Nos. 19455; 20496; 22053; 25155)