

Neighborhood Forest Overlay (NFO)

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Request:

Consideration of amending the Dallas Development Code to create regulations for a new overlay called a Neighborhood Forest Overlay.

Background:

The concept of a Neighborhood Forest Overlay originated at ZOAC meetings during the amendment of ARTICLE X. LANDSCAPE AND TREE CONSERVATION REGULATIONS.

Intent:

To provide opportunity for neighborhoods to conserve the existing urban forest within their neighborhood.

General Information/Staff Analysis:

An NFO would be a neighborhood driven process, similar to the Neighborhood Stabilization Overlay (NSO) process, in order to apply the urban forest division protections in Article X afforded other properties in the City of Dallas to the single-family properties within the overlay area.

Currently, trees on lots smaller than two acres in size that contain single-family or duplex uses in residential districts are exempt from the tree protections of Division 51A-10.130. Urban Forest Conservation. Trees on lots one acre or less that do not contain single-family or duplex uses in residential districts are also exempt from the tree protections of Division 51A-10.130. Urban Forest Conservation within the unrestricted zone. The NFO would function to preserve existing trees within the boundaries of the overlay.

The neighborhood would have the latitude to choose the area of tree protection, or protected zone, from the following options:

1. Curb to front yard setback
2. Curb to structure
3. Front, side, and rear yard setbacks
4. Entire lot

(Each option would include adjacent front Right-of-Way)

Options 1 and 2 require signatures from 60% of property owners within the boundaries of the NFO. Options 3 and 4 require signatures from 80% of property owners within the boundaries of the NFO.

Protected zone means the area subject to tree removal.

An additional option that may be elected by the neighborhood:

- Requirement for lots to maintain a minimum number of trees in the front yard.

A work order approval for tree removal within the boundaries of an NFO would be required prior to issuance of any permit.

If a tree removal application is approved to remove trees within the protected zone, then tree replacement is required by one or more of the following methods:

1. Replacement on the site of removal

- The minimum total caliper of replacement trees must equal or exceed the total classified diameter inches of the protected trees removed or seriously injured as listed in Section 51A-10.134(c)(1)(B).

2. Replacement by legacy tree

- Each tree planted and designed as a legacy tree is given a 12 inch replacement credit.

3. Replacement on other property

- Replace within boundaries of NFO
- If replacement is not possible within NFO, the tree must be replaced within five miles of the NFO.

4. Payment into reforestation fund

- Mitigation requirements may be met by making a payment into a special city account.

Upon establishment of an NFO, each lot would be filed in the county deed records to give notice of the regulations imposed.