



City of Dallas

Tree Removal

DSD Arborists
August 21, 2023

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Development Services Department
City of Dallas

Presentation Overview



- Article X and other tree codes
- Tree Removal Application (Permit)
- The Homeowner responsibilities
- The trees on public property and easements
- Trees Removal in Construction (Building Permit)
- Land clearing
- Mitigation 10.137 (Tree Canopy Assessment)
- Reporting Suspected Violations



What are the Dallas tree regulations?



- Article X Tree Conservation Ordinance
- Article X Landscape Ordinance (city standard)
- Dallas Code Regulations (Ch. 18 and Ch. 43)
- Article V Floodplain and Escarpment regs
- Conservation and Historic Districts (a few)
- Planned Developments and SPD's
- City design manuals, etc., etc., etc.



General regulations



- Trees are protected at 8" diameter and greater.
- Trees are **classified** by species and location.
- Protected trees that are removed must be mitigated by planting or alternative means based on replacing classified diameter inches.
- Protected trees have a \$ replacement value.



General regulations



Tree classification for mitigation:

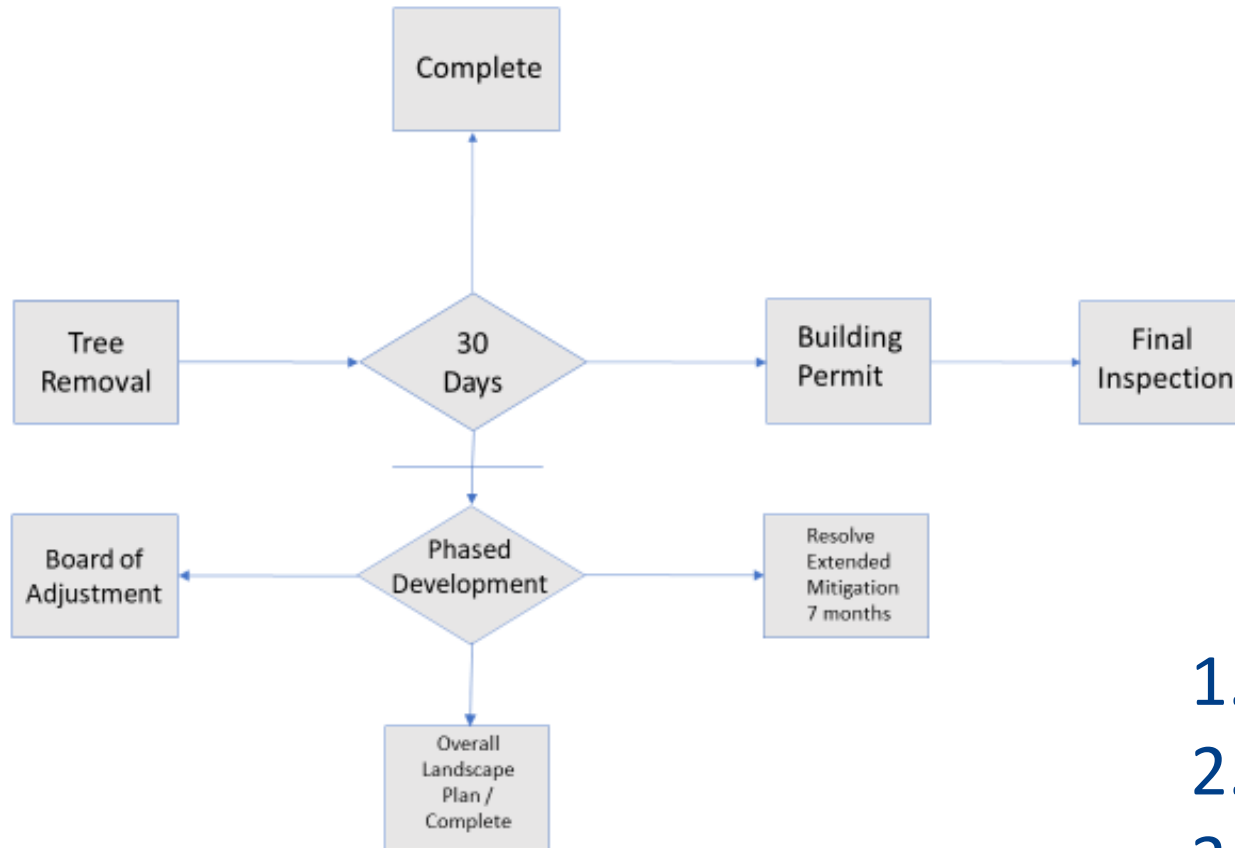
(i)	Historic trees:	3:1
(ii)	Significant:	1.5:1
(iii)	Class 1:	1:1
(iv)	Class 2*:	0.7:1
(v)	Class 3*:	0.4:1

* includes reductions for overall population tree conditions and species

- 20" live oak (Class 2)x 70% = 13.7" classified
- \$193 x 70%=\$135



General regulations – Timing Mitigation



1. 30 days
2. Building permit extends it
3. Phased development extends with plan



TREE REMOVAL PERMITS



Permit Application Requirements:

- Completed Building Inspection Application (applicant/owner(s) signature required)
- Tree Survey (caliper, species, location)
- Mitigation Plan
- \$100 Minimum Fee or $.0095 \times \$ \text{ cost of tree removal}$

Tree removal applications are subject to review by the building official. Please contact your district arborist if you have questions about tree removal and/or the permitting process.



TREE REMOVAL PERMITS



When is it required?

As required by SEC. 51A-10.130, a tree removal permit is required for the removal of protected trees unless:

- The lot is under two acres in size AND contains a single family or duplex use. Vacant lots, lots two acres and greater, or lots with a structure being demolished require a permit to remove protected trees.
- The lot is in a planned development district with landscaping and tree preservation regulations that vary appreciably from those in Article X, as determined by the building official.



TREE REMOVAL PERMITS



- Applications may be submitted to the city arborist office at any time. However,....
- **A permit will not be issued unless the tree removal is determined to be in the 'public interest'**. The permit will be processed when evidence supports the removal.
- If denied, the denial may be provided on the processed tree removal application (with denial) for the purpose of an applicant challenging the decision of the building official.



Trees and the Homeowner



- Article X does apply to homeowners.
- MOST home sites in residential districts are 'EXCEPTED' from the Article X code.
- Code DOES apply to properties > 2 acs. and in non-residential districts (including mixed use).
- The PARKWAY and ALLEY are NOT excepted.



Article II – Weeds Grass & Vegetation



- **Sec. 18-13** – Growth to certain heights.
 - PREMISES - For purposes of this **article**, PREMISES means the lot, plot, or parcel of land, plus the front or side parkway between the property line or sidewalk and the curb or traveled way, and the rear or side parkway between the property line and the center line of an adjacent alley.
- **Sec. 18-14** – Weeds, grasses, etc.
- **Sec. 18-14.1**- Vegetation in alley, street, sidewalk.
 - Keep 15' ht clear above street/alley;
 - Keep 8' ht clear above sidewalk.



Trees and the Homeowner



- **Sec. 27-11.** Responsibilities of the homeowner
 - (5) remove dead trees and tree limbs that are reasonably capable of causing injury to a person
- **Chapter 48.** Trees and Shrubs
 - Rules for maintenance and not injuring trees on highways or other person's property
 - Don't discharge chemicals that cause injury
 - Reference to the park board and city forester



Trees and the Homeowner



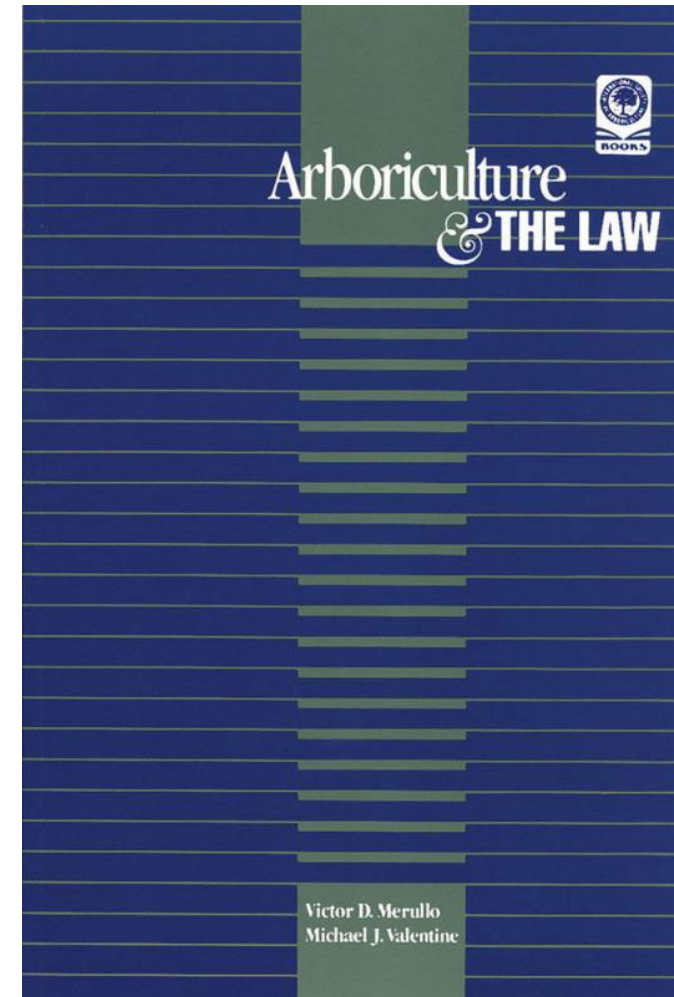
- **Sec. 48-11.** Duty to remove dead, diseased, and damaged trees from parkway.
 - Every person owning, occupying, or in control of property shall, at the person's own expense, remove any dead, diseased, or damaged tree from the parkway abutting the property owned, occupied, or controlled by the person.
 - Parkway defined as area along the public street between the curb and the sidewalk.



Trees and the Homeowner



- Tree law
- Homeowners should know their rights about their trees
- Boundary trees may be shared trees and your neighbor may have certain rights regarding the tree in the ground and above.



Tree Removal in the ROW



- Trees planted in the ROW are **City property**
- Tree Removal in the ROW requires **permission of the City of Dallas before** it can be removed
- Tree Removal and maintenance of trees in the ROW is the **responsibility of the adjacent homeowner**
- A Tree Removal Permit is **required** for healthy, protected trees in the ROW
- **Mitigation required**



Trees on City Property



- **Article X – 10.136(a)**

- (a) **City property.**

Except as provided in this section, trees on city property:

- (1) **must be established and maintained** in accordance with **ANSI A300 standards for tree care operations** and the **ISA Best Management Practices**; or

- (2) the **American Standard for Nursery Stock Z60.**



Trees on City Property



- **What is ANSI (American National Standard) A300?**
 - It is the tree care industry standard for tree care in the US.
- **What are ISA Best Management Practices?**
 - A series of BMP's for the purpose of interpreting tree care standards and guidelines for the tree care industry.



Trees on City Property

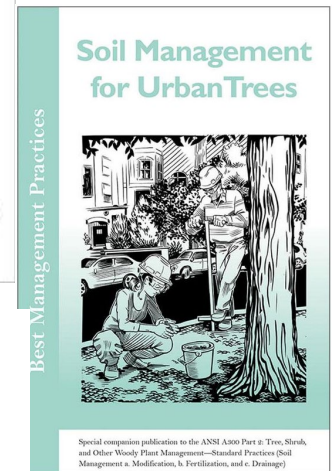


- **10.136(a) – Where does it apply??**
- City parks
- City public rights-of-way
- Floodplain Management Areas (FMA)
- Great Trinity Forest public property
- Other city property



**American Standard
for Nursery Stock**

published by
AmericanHort



Trees On City and Other Public Property



- Article X landscaping and tree conservation regulations are not enforceable on State-owned property.
- City regulations *are* applicable to county and other agency properties.
- **Defenses to prosecution (Sec. 51A-10.140) apply to tree conditions and specific land uses for new development and the installation and maintenance of public infrastructure.**



Trees And Utilities



- Easements and utility-owned property are subject to Article X. However, defenses to prosecution apply to maintenance and installation of utility services.
- DWU design manual requires that all trees be planted no closer than 10-feet from a water or wastewater line, and not within an easement. Exceptions are not typically applied.
- Existing trees are retained until they must be removed for the maintenance of a utility.



Trees And Utilities



- Large and medium trees may not be planted within 20 feet, or 15 feet, respectively, from the nearest overhead electric line (Article X)
- Small trees may be planted in place of the large or medium tree under the electric utility.



Trees in Construction



Tree Protection Fence



Trees in Construction (ALL CASES)



- **Article X – 10.136(b)**

- (b) In general.**

Where a property owner plans to retain protected trees on a **site to be developed or otherwise disturbed** in a manner that may affect protected trees, the following requirements must be met:

- Tree protection plan** meeting ANSI A300 and ISA BMP standards

- Tree protection plan with additional provisions** (includes chain link fence for signature trees)



Trees in Construction (ALL CASES)



- Article X – 10.136(b)

Implementation of the tree protection plan

(1) The responsible party must install and maintain all tree protection measures indicated in the approved plan ***prior to and throughout the land disturbance process and the construction phase.***

(2) No person may disturb the land or perform construction activity ***until the required tree protection measures have been inspected by the building official.***





(e) **Damage to protected trees.**

Where the building official has determined that **irreparable damage** has occurred to trees within tree protection zones, the responsible party **must remove and replace** those trees.



Land Clearing



- Arborist authorization is required before any clearing.
- Protected tree removal requires a tree removal permit approval.
- Vegetation removal is prohibited in floodplain and escarpment zones without approval.



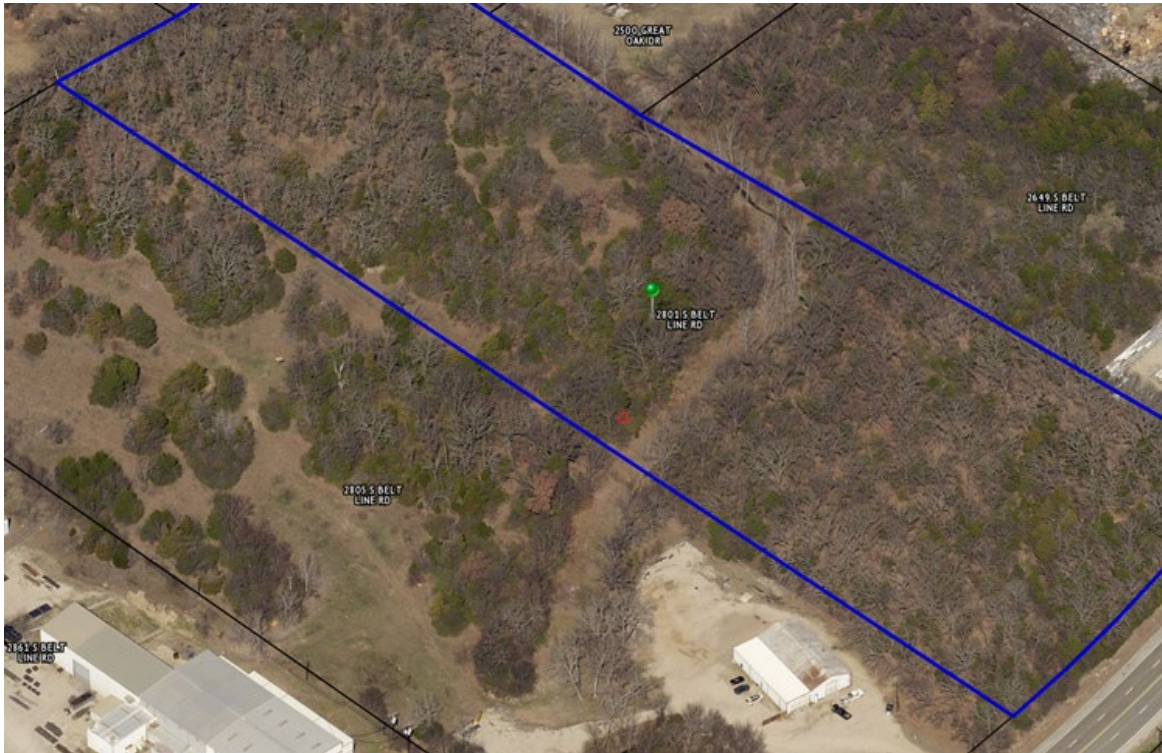
Land Clearing



- Land clearing violations may include multiple departments and city codes:
 - Floodplain – vegetation removal in FP
 - Code Compliance – construction without permit
 - Stormwater Management – TCEQ violations
 - Development Services – tree removal
 - City Attorney's Office – when cases are escalated



Land Clearing



Land Clearing



Mitigation 10.137(b)



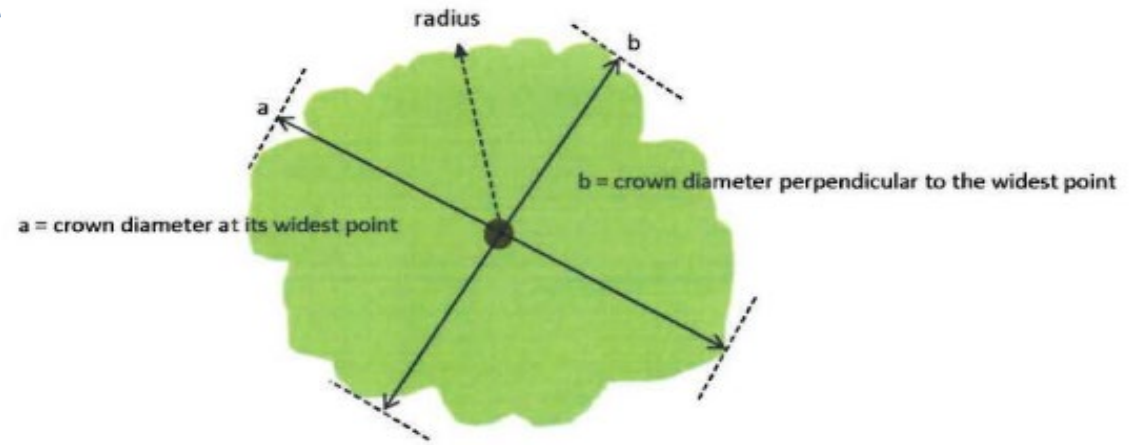
(ii) When protected trees have been removed with no measurable remaining evidence. Mitigation is required in accordance with Section 51A-10.134 as determined using the following calculation.

(aa) The **tree canopy coverage area** is estimated by measuring the tree canopy coverage area shown in an aerial image no older than three years before notice of violation.

(bb) The estimated **tree canopy coverage area**, in square feet, on the tree removal property is divided by **1,200 square feet** to determine an estimated **number of trees for the area**.

(cc) The number of trees is **multiplied by eight inches** as the estimated average of trees to determine the **inches of the trees to be replaced**.

Figure 1: Calculating Individual Tree Canopy Cover



Mitigation 10.137(b)



CONNECTExplorer (provides means of improving accuracy) above Google Earth observations (with foliage) alone.

Using City GIS aerial photo information dating within the year and extending back more than a decade, we can assess specific property and tree canopy areas relative to today.

The history of the property also helps tell us if the tree canopy assessment is applicable. If the forest succession is 'early', the conditions do not condone use of this method.

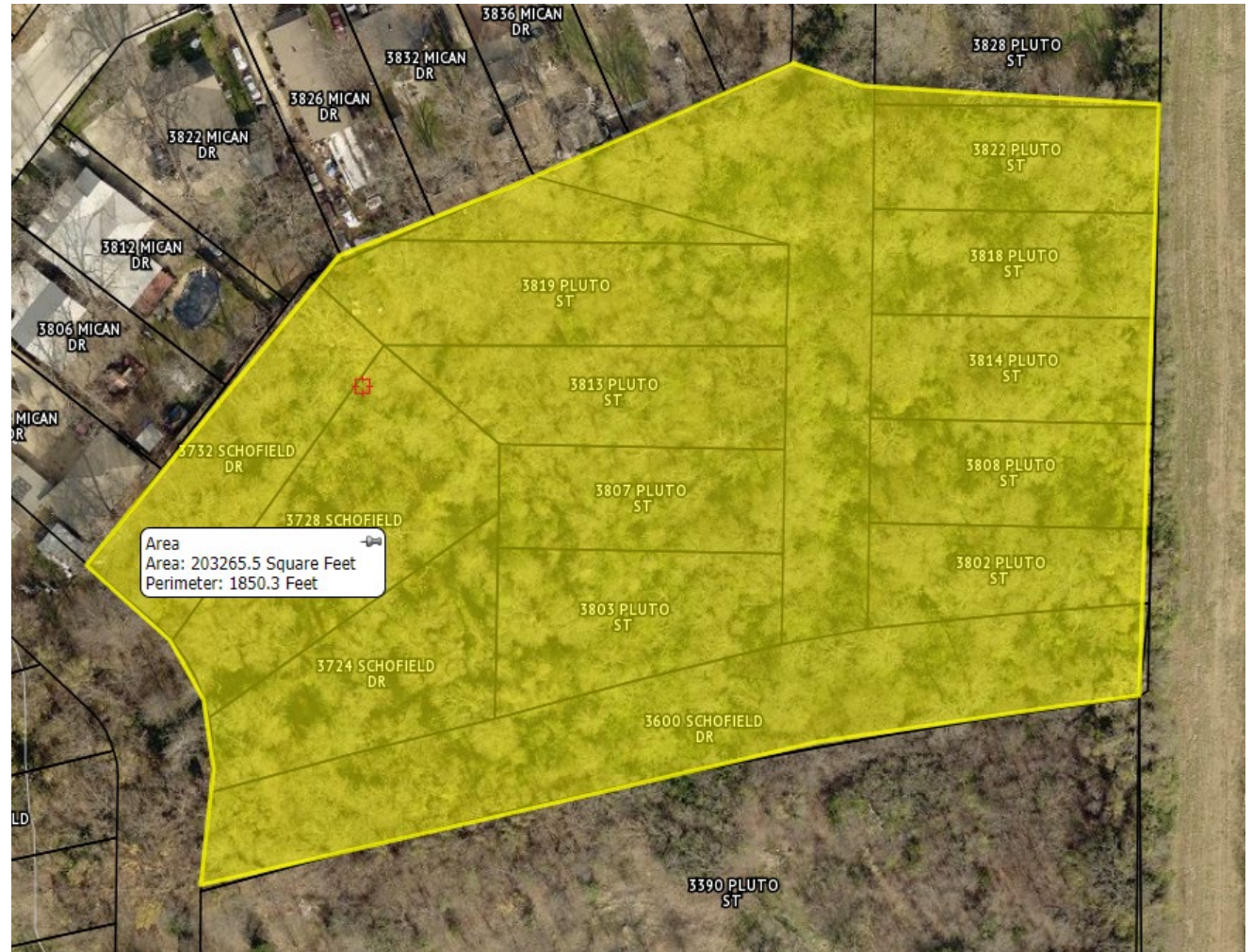
10.137 tree canopy assessment calculates for a hypothetical forest area of trees a minimum of 8" diameter and greater and projected average tree canopy of 1200 sf per tree. This provides a mitigation calculation for an overall vegetation-covered land area to establish a tree mitigation baseline when all evidence has been removed that can no longer establish a tree diameter baseline measurement.



Mitigation 10.137



Mitigation 10.137



Refer to the Landscape and Tree Manual

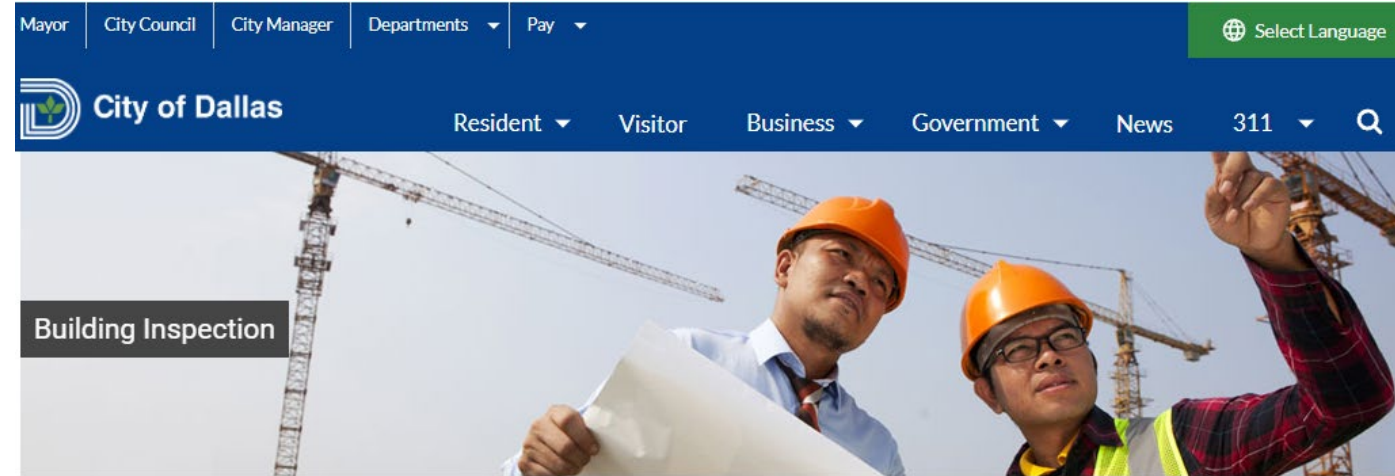


Landscape and Tree Manual

Sustainable Development and Construction Department



2018 manual under review in 2023



HOME
COMMERCIAL
CONSERVATION AND HISTORIC DISTRICTS
CONTRACTORS & DESIGN PROFESSIONALS
CURRENT CITY CODE
FAQ
FEES
FORMS AND APPLICATIONS

Landscape and Tree Manual

Article X: Landscape and Tree Preservation Regulations

- Article X Ordinance: [Official Version](#), [Approved Draft](#)
- [Tree Mitigation Standards \(new\)](#)
- [Approved Tree List](#)
- [Article X Standard Landscape Requirements](#)
- [Article X Standard Requirements with Soil Analysis](#)
- [Article X Landscape Checklist](#)
- [Definitions](#)
- [2021-2022 Dallas Reforestation Program \(new\)](#)



Report Violations



For suspected Illegal Tree Removals **contact 311**

For suspected land clearing violations **contact 311 or Chief Arborist, Philip Erwin at 214-948-4117 or philip.erwin@dallas.gov**





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