



Legislation Text

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Agenda Information Sheet

DEPARTMENT: Solid Waste & Recycling

CM/ ACM: Jon Fortune

Date: March 30, 2017

SUBJECT

Receive a report, hold a discussion, and give staff direction regarding the acquisition of property for the purpose of tree preservation.

BACKGROUND

The intent of this work session discussion is to present the City Council with a set of evaluation criteria for identifying real estate property in Denton for the purpose of tree preservation. In response to requests from residents and City Council, a team of staff members from Parks & Recreation, Development Services, Legal/Real Estate, and Keep Denton Beautiful has been assembled to develop a system for evaluating forested properties for preservation. The staff team incorporated Tree Fund Expenditure Criteria from the Denton Development Code (DDC 35.13.7.7.e.i) and data from the City's recently completed Urban Tree Assessment (a.k.a. the "State of the Denton Urban Forest" report) to develop a comprehensive criteria and evaluation system. The system considers factors such as total tree canopy cover; relative location to Denton's Eastern Cross Timbers eco-region (meaning a property would be more likely to have quality heritage trees, such as Post Oaks); potential for public use and park/trail connectivity; current zoning; and alignment with utility and mobility plans.

Using the "State of the Denton Urban Forest" results, staff have identified a series of properties in Denton with 50% or greater tree canopy cover. Properties were narrowed to a short list of options based on adherence to the criteria, and subsequently scored by the staff team using the property score sheet (Exhibit 2). The list of properties and evaluation results will be presented to Council under a separate agenda item.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

December 6, 2016 - Denton City Council Work Session

October 15, 2013 - Denton City Council Work Session

February 5, 2013 - Denton City Council Work Session

FISCAL INFORMATION

The Tree Fund Expenditure Criteria outlined in the Denton Development Code (DDC 35.13.7.7.e.i) state that up to 15% of the City's Tree Fund balance can be used for the "Purchase of Wooded Property to Preserve." The current balance of the Tree Fund was \$2,374,629 as of September 30, 2016 (2016 fiscal year-end) which allows for up to \$356,194 in funding that could be used to purchase property for tree preservation.

Should the Council see fit, this 15% limit could be increased temporarily or permanently to accommodate a property purchase. A temporary or permanent increase to 40% of the fund balance, for example, would allow for up to \$949,851.60 in expenditures this year for property purchases. While increasing the limit for property purchases could reduce future available funding for other permitted uses, such as tree planting programs, the Tree Fund has shown an average of \$436,944 in revenue per year (over the last five years), meaning funds could be replenished in about two years. Projected total expenses for tree planting programs in FY 2017 are \$793,110. With the current fund balance at over \$2 million, funding for these programs would not be compromised by increasing the limit for property purchases.

In addition to the Tree Fund, other sources of funding could be leveraged, given certain property characteristics. For properties that have potential for public use or meet expansion needs for parks and trails, park development funds could be accessed to supplement the available funding from the Tree Fund. Additionally, mitigation funds from DME could be used toward a property purchase.

Council may also consider a partial acquisition of property, or explore options for smaller properties to potentially preserve fewer trees, but at a lower cost.

STRATEGIC PLAN RELATIONSHIP

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

Related Key Focus Area: **Sustainable & Environmental Stewardship**
Related Goal: **5.4 Manage land use and preserve open/natural spaces**

EXHIBITS

Exhibit 1 - Use of the Tree Fund for Tree Preservation (PowerPoint Presentation)
Exhibit 2 - Preservation Property Scoresheet
Exhibit 3 - Tree Fund Expenditure Criteria

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