



**City of Denton**  
**MINUTES**  
**COMMITTEE ON THE ENVIRONMENT**

City Hall  
215 E. McKinney Street  
Denton, Texas  
www.cityofdenton.com

**Monday, August 6, 2018**

**9:00am**

**City Council Work Session Room**

After determining that a quorum of the Committee on the Environment of the Denton City Council was present, the Committee on the Environment thereafter convened into an Open Meeting on Monday, August 6, 2018 at 9:00 a.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas

**Council Members:** Chair Council Member Keely Briggs, Council Member Paul Meltzer, Council Member John Ryan

**Also Attending:** Mario Canizares, ACM; Kenneth Banks, General Manager of Utilities; Katherine Barnett, Sustainability and Customer Initiatives Manager; Scott McDonald, Development Services Director; Richard Cannone, Deputy Director of Devt Services; Stuart Birdseye, Marketing & Outreach Coordinator; Charlie Rosendahl, Management Analyst; Haywood Morgan, Urban Forester; Vanessa Ellison, Recycling Education Coordinator ; Kim Mankin, Administrative Manager

**REGULAR MEETING**

- A. COE18-025** - Receive nominations and election a Chair and Vice-Chair for the Denton City Council Committee on the Environment.

Council Member Meltzer nominated Council Member Briggs for Chair. The nomination had a second by Council Member Ryan. **Vote 3-0 approved.**

Council Member Ryan nominated Council Member Meltzer for Vice Chair. The nomination had a second by Council Member Briggs. **Vote 3-0 approved.**

- B. COE18-026** - Consider approval of the Committee on the Environment of the Denton City Council Meeting minutes of June 13, 2018.

**Approved as circulated.**

- C. COE18-029** - Receive a report, hold a discussion, and give staff direction regarding Denton Development Code Subchapter 13, Tree Preservation and Landscape Standards.

Richard Cannone gave the presentation. Staff is bringing back a draft of the tree preservation code as well as the landscape code. There has been questions as to where these should be located within the site design standards. Staff is trying to unify both tree preservation and landscape ESA as well as open space requirements and park dedication.

The history includes tree code updates being presented to P&Z in February 2017. There was initial policy discussion with City Council and this Committee. There were changes with respect to a Senate Bill that was passed on tree preservation. There was a discussion with DCRC (Development Code Review Committee) in July regarding the landscape standards. Today there is a draft of the standards.

This is scheduled for full Council on August 21, and P&Z August 22.

Cannone went over the current tree preservations. There has been the discussion should this be measured on DBH or percentage, the current code requires either. There is no set standard when you can pick one over the other. In the past there have been many interpretations.

Cannone showed the current DDC, draft and new proposal on a table. This table shows much detail in the codes as it relates to tree classification, tree preservation requirements, tree mitigation requirements and credit towards landscape canopy requirements.

Staff wanted to start with a clear and exhaustive purpose statement in the new proposal. They wanted to establish goals and the public purpose as well as an intent section which is to achieve a 30 percent canopy coverage city wide and promote a multi age urban forest.

Briggs asked if it was 30 percent canopy to be maintained consistently. Cannone believes it is 30 percent coverage city wide but will double check. Briggs believes it is 30 percent with the goal to increase to 40 percent. She would also ask this committee to consider if 30 percent is enough.

Meltzer asked what it is now and where does the 30 percent come from, why is that the recommended goal. Cannone stated there was a tree study completed in 2016. Haywood Morgan, Urban Forester, answered it is 30 percent, in this part of Texas it is right in the range of what the Texas Foresters recommend. It would be reasonable to maintain the 30 percent or bump it up to 35 percent.

Meltzer would like to understand what the principle is. Is the principle a good amount or is it that a certain percentage achieves some desirable effects. The more we understand the rationale for the number the better we will be to drive policy to support it. Cannone stated that the 30 percent was in the study, so that is what they went with. Meltzer asked for a copy of the study.

Ryan stated that a follow up on that is the western part of the city is more prairie that is non-treed. Are we looking at the eastern half having to cover for that or are we looking at some type of zoning.

Cannone stated they are looking at city wide in addition to tree preservation there will be landscape requirements western side as well.

Briggs would also like to know the date that study was presented to Council to go back and watch it to see as a Council what was the goal.

Meltzer asked if we know if there is a certain amount of tree canopy that would be required to achieve air quality objectives. Why do we want tree canopy. If we know why we want it we could better support the quantification of how much tree canopy is needed.

Ryan agreed with Meltzer adding that a date or timeframe involved to achieve 30 percent, would that be in five years or as property fully develops. If that was defined it would be beneficial.

Briggs was trying to understand if it is 30 percent maintained.

Cannone showed example pictures of Brinker, 2013 to 2017 and talked about the specific details. He then talked about exempt, quality, heritage and historic trees. Briggs would like to talk with the Master Gardeners Association and find out if any of the trees that are exempt are native or drought tolerant.

Cannone went on to talk about the development impact area. This would exclude an ESA conservation easement or preserved habitat. In calculating the required landscaping or requirements in relation to tree preservation it would only be within that development impact area. Preserved habitat, the only time you could have that would be if you have an ESA. The intent would be to try and preserve an area that is adjacent to the ESA to continue the habitat and allow to be excluded from the development impact area. If you wanted to have a conservation easement it would be a minimum of five percent of the total site. This is another option.

There was discussion regarding the 30 percent and what the goal is for the city.

Modification of preservation requirements was detailed. Historic trees – 100 percent of all trees within the development impact area shall be preserved. All trees removed must be mitigated. Heritage and Quality Trees - Up to 70 percent (70%) of the existing trees within the development impact area may be removed if the removal is mitigated by the replanting of new trees in accordance with subsection G for each caliper inch removed or by payment into the Tree Fund in accordance with subsection I. The 30% minimum preservation requirement may be reduced to 20 percent, however the 10 percent of trees removed must be mitigated at the following rates. Quality Trees – 1:2 ratio; and Heritage Trees – 1:3 ratio; or the 20 percent preserved is in a dedicated conservation easement or preserved habitat that is adjacent to an ESA.

If ten or more trees required to be planted no one species can be greater than 30 percent of the total replanted. If any preserved and/or replacement tree(s) dies within two (2) years of initial planting or issuance of Certificate of Occupancy and is brought to the attention of the City, the current property owner shall be subject to the same replacement requirements.

Cannone gave examples of cutting down the trees and paying into the tree fund at \$195 per one inch dbh.

Meltzer asked if the rate (\$195) would adjust to whatever the source document is, Cannone agreed. If someone pays into the tree fund, don't we have to generally acquire land. Cannone answered the way it is proposed they would plant on site or in a park. Briggs added that there is a list of things the tree fund can be spent on. There is also another option to donate a tree and the question would be where we would put it. Then the city would be responsible for the maintenance of the tree.

Meltzer asked what the true cost of replacing a tree. It would not only be the tree, but maintenance and a place to put the tree.

Staff is recommending that the credit be eliminated as a result of having the development impact area. There was discussion regarding this and the ESA associated.

There was several examples shown by Cannone on the tree mitigation. There was discussion on how this works with many details.

Meltzer added that you have to solve the math comprehensively. If there isn't enough place to put enough trees to achieve the 30 percent coverage while there is much being cleared.

Mario Canizares stated that the City Manager has asked staff to put together a cross departmental team of parks, planning, engineering, environmental services to understand collectively what are each of the departments goals. Visit with other communities to see what their strategies are on tree canopy, their goals and what they are trying to achieve. We want to compare with those other communities and then come back to this committee and do an analysis.

Meltzer would like to know then if the policy achieves the stated intent.

Briggs added that ESA's may be on plats but the trees have not been added.

Cannone then showed examples of where trees were not mitigated with discussion.

Briggs stated there was a consensus to take to Council on the ESA amendment.

Meltzer added that if there was money for replacing a tree in the fund, he would be good with education as an item on the tree fund. If the purpose is truly for the replacement of trees there may be a different opinion.

Next steps will include:

A collaboration with the Master Gardener's on the updated list of trees.

More information on the 30 percent goal.

Why city facilities would be excluded.

More discussion on how mitigation works.

Landscape plan at the next meeting.

**D. COE18-030 - Receive a report and hold a discussion regarding Recycle Right! Education and Outreach campaign.**

Stuart Birdseye gave the presentation stating that staff is launching a recycling campaign. Recycle Right is a comprehensive educational outreach campaign.

The background included:

-The contamination rate of recycling (both commercial and residential) have reportedly risen since the end of 2017 to present.

- This is affecting the operations of the Pratt Materials Recovery Facility and the amount of diversion of materials from the Landfill.

- Outreach staff met with Pratt and with Solid Waste & Recycling to discuss common issues and the contamination that they are processing.

Briggs asked specifics about contamination and if the container needs to be washed and if lids are acceptable. Birdseye answered empty the container as much as possible, washing is not necessary. Lids are ok to recycle.

Communication goals:

-Educate which items should be recycled.

-Illustrate the path that recycling takes to be turned into new products.

-Emphasize the importance of putting the correct items into recycling, and the effects of the wrong things entering the recycling stream.

-Include seasonal messaging of items that are mistakenly put into recycling cart.

-Achieve consistency in style and messaging.

The recycle right signage was shown that includes the message at the top. Simple terms in both English and Spanish that uses simple icons of common items. The poster emphasizes blue for recycling and green for landfill.

Ryan asked if there are any commercial plastics that have the recycling number on them that are not in the 1-7. Birdseye answered the biggest would be plastic bags. They are too thin to be recycled curbside, you can take them back to the store.

Ryan also asked about glass. Birdseye answered glass is tricky, it is recyclable but not desired. There is no market for it right now. There is a push nationwide to make all recycling the same to not confuse people from different areas. Briggs states she is afraid if we take out glass the landfill will fill up much faster. Birdseye answered currently it is being recycled as part of our contract, but that is changing since there is no market. Meltzer asked if there will ever be a market for glass again. Birdseye answered there is just limited possibilities for glass recycling. The market does not forecast recovering. It is cheaper to do a new bottle than to recycle. Briggs stated as long as it is in the contract our citizens should be putting bottles in the recycle cart.

#### Communication Plan

- Recycle Right! 2019 Solid Waste Residential Calendar
- New Recycle Right! Commercial – DTV

The Denton Record Chronicle will do a column on recycling called lift my lid.

- Overhaul website to include Recycle Right!
- Develop Recycle Right! To include a social media plan
- Comprehensive residential outreach plan
  - Increase amount of materials with English and Spanish
- Continued education through Denton Sustainable Schools
- Focused marketing to multi-family
- Focused marketing to universities
- Develop checklists to customize outreach plans for Multi-Family and Commercial accounts
- Ensure that there is proper signage and stickers on all containers

Meltzer asked what the most common contaminants is. Birdseye answered most are seasonal, Christmas lights and when food is added it gets all over everything contaminating the whole load and plastic bags.

**E. COE18-027 - Identify and discuss meeting times and dates for future Committee on the Environment Meetings.**

There was discussion, the consensus was first Monday before Council luncheon.

**F. COE18-028 - ACM Update:**

1. Denton Tree Initiative Update
2. Matrix

#### **CONCLUDING ITEMS**

Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Public Utilities Board or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an

official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda

Paul Meltzer – Whether we should have expanded air quality sensing

Keely Briggs – Would like an update on the Citizen Environmental Commission

Keely Briggs – Draft of the strategic plan of the sustainable environmental stewardship needs

**Adjournment: 10:43am**

**Approved September 17, 2018**