

MINUTES
CITY COUNCIL COMMITTEE ON THE ENVIRONMENT
February 6, 2017

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, February 6, 2017 at 1:33 p.m. in the City Council Work Session Room 215 E. McKinney, Denton, Texas.

Present: Council Member Dalton Gregory, Council Member Joey Hawkins and Council Member Keely Briggs

Also Present: Jon Fortune, ACM; Kenneth Banks, Director Environmental Services and Sustainability; Munal Mauladad, Director of Development Services, Katherine Barnett, Sustainability and Special Projects; Shandrain Jarvis, DRC Administrator; Haywood Morgan, Urban Forester, Kathy Jack, Conservation Program Coordinator; Stephanie Corley, Sustainability Coordinator; Jonathan Gregory, Intern; and Kim Mankin, Administrative Supervisor

REGULAR MEETING:

A. COE17-012 - Consider approval of the Committee on the Environment meeting minutes of January 17, 2017.

Approved as circulated

B. COE17-010 - Receive a report; hold a discussion regarding follow-up questions about landfill emissions reported in the draft 2015 Greenhouse Gas Inventory.

Kathy Jack talked about this item stating she had met with landfill staff, David Dugger and questioned the emission increase. The trend previously between 2009 and 2011 there was a decrease. There is a 57 percent increase in collections of waste, which is why the emissions have gone up.

Hawkins asked what the increase is due to. Jack suggested inviting staff from the landfill to make a presentation regarding some of these unanswered questions.

Jack went on to say that there are companies from all over the country that come to see the City of Denton landfill and talk about their best practices.

Briggs previously had asked about the gas to energy project. The landfill uses all the gas they can with the current capacity and then there is a percentage that is flared. Approximately one percent is released as methane.

Briggs added that Solid Waste will be making a presentation to Council on February 7 with an update.

Gregory added he would like to know if we need generators to capture the gas, also are we taking waste from other cities to account for part of that 57 percent increase.

Jack stated we do take waste from other areas of Denton County, the City has operational control so that is why we include the complete waste and emissions that are associated with the waste.

C. COE17-009 - Receive a report and hold a discussion regarding the adoption of an ordinance of the City of Denton, Texas, amending Subchapter 35.3 Procedures, Subchapter 35.13 Site Design Standards, and Subchapter 35.23 Definitions and Terms, of the Denton Development Code related to tree preservation and landscape requirements. (DCA17-0005, Tree Preservation and Landscape Requirements Update, Haywood Morgan).

Haywood Morgan presented this item with a PowerPoint talking about the tree preservation and landscape requirements; the Tree code.

Objective is receive a report and hold a discussion regarding the adoption of an ordinance of the City of Denton, Texas, amending Subchapter 35.3 Procedures, Subchapter 35.13 Site Design Standards, and Subchapter 35.23 Definitions and Terms, of the Denton Development Code as it relates to tree preservation and landscape requirements.

The results of the tree code include mitigation 30 percent preservation, 20 percent preserved and 10 percent mitigated.

Mitigation includes all percentages based on the existing total tree canopy of the site. Comparison. Under the proposal staff is recommending 30 percent preservation of the tree canopy, if the developer cannot meet the preservation requirements they can preserve as little as 20 percent of the canopy and mitigate up to 10 percent of the canopy. Mitigation includes two options, payment into the tree fund or replanting additional trees on site. Haywood explained the mitigation calculations. He then went over an existing site a residential area by Lee Elementary.

Under the mitigation comparison, the current code versus proposed code is listed below:

Trees Preserved 618 diameter inches with 4.2 percent canopy,	20 percent canopy
Tree fund: \$202,125,	\$138,803
Mitigating Planting: 809 Trees	234 Trees
Number of Lots: 103	101
Tree Planted on site 236	Trees planted above required 13

There was a discussion regarding the canopy and the funds.

Manal Mauladad suggested the conversation of how we got here, why we are here and why this presentation. Staff has tried to visit the code without cutting and pasting from other communities. There is a real opportunity given the recently initiated tree survey assessment that occurred and understanding how much canopy cover the City has for undeveloped sites, the percentage and where we are heading. Staff is trying to develop a code with flexibility implanted in it so it is easier to understand and common sense as it relates to what staff is trying to achieve.

Gregory then stated his neighborhood was built in the mid 1960's, all the trees are dying. What kind of trees should be planted. Morgan answered there is an approved list. Gregory requested the tree list be included in the presentation before going to City Council.

Morgan then talked about how this started and what the Tree Code is with a definition. The Tree Code deals with the preservation of existing trees, and mitigation of trees removed when preservation goals cannot be met. This applies in the City limits; not the ETJ.

Why should you want to preserve trees, there are many environmental benefits a few include; air quality, stopping erosion, beauty, and reducing flooding.

There are also health benefits; boosting immune system, lowering blood pressure and reducing stress.

There are economic viability; trees lower heating and air conditioning costs as well as home values are higher.

There are a lot of public support for preserving trees. Areas that have a large amount of paved areas absorb heat during the day and have a higher daytime temperature. At night they release the heat.

Lastly aesthetics are important.

Places that are affected include property owners and residents, developers and other interested groups.

Morgan showed a picture of the original Flow Hospital site and talked about the public outcry in 2003 because it was being redeveloped for student housing. This is where the conversation started about the need to preserve trees. In 2004 the first tree preservation requirements were passed for the City of Denton. Between 2005 and 2008 the tree code was reviewed for an update but not much was passed at that time. In 2008 the first urban forester was hired, Morgan is the third. In 2014 to present there is an effort to revise the tree code.

Briggs asked why it has taken so long. Morgan answered from the earlier efforts there wasn't a good consensus on the direction for the updates.

Manal added that staff has been looking at the tree code and landscaping ordinance commutatively. There has been a number of amendments but where we are today is direction from Council.

Morgan stated the current state of the code has too many variables, no flexibility, and no incentive to save large trees.

Project review included analysis of current tree code, best management practices, benchmark city comparisons and community input.

Proposed revisions include aligning with industry BMP's, establishing an exempt tree list, reduce number of exemptions, base preservation requirements of tree canopy vs. DBH., and preserved and mitigation trees to count towards landscape requirements.

Briggs stated that reading through the new code, on 'appeal' there has been a change from City Council to go to the Director of Development Services and ZBA. Briggs does not agree with this change. Council should only be the ones to grant the variances.

Hawkins asked how it currently is. Morgan answered if there is a need to go for an alternative tree preservation plan, it would go to P&Z then to Council. The idea being to allow the Director level to work with the developers on minor variances to the code.

Manal added the Denton Development Code specifies what requirements are applicable through zoning and landscaping. Any items that are typically appealed as it relates to a variance to those requirements it goes to the Zoning Board of Adjustments. It can be revisited if that is the direction of this committee.

Hawkins asked if the process is slowed because of the way it currently reads. Manal answered the alternative tree preservation plan process is hardly used. It should be looked at with the landscaping component.

This will be further discussed through Council.

D. COE17-011 - Receive a report, hold a discussion, and provide direction regarding Denton Development Code Subchapter 17 Environmentally Sensitive Areas (ESAs).

Kenneth Banks presented this item regarding code policy changes. These changes are attuned with proposed changes to the Tree Code. Planting of new trees are allowed in the ESA's as long as they are in the native plant group. All trees must be preserved regardless of the tree *dbh*.

Staff also wants to look at giving landscape credits for non-wooded ESA's. Some of the habitats are riparian buffers and some are flood plains.

Banks went over the additions that are intended to try and interface the subchapter 17 with the tree preservation code. There was some discussion.

Banks added that Eastern Cross Timbers Habitat was changed to Cross Timbers Habitat. Briggs asked what the percentage of cross timbers habitat is left. Banks answered staff will get that number.

E. COE17-013 - ACM Update:

1. Honey Run
2. SPEER
3. Matrix

CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Committee on the Environment 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.

Kenneth Banks announced that Kathy Jack has accepted a position at The Dallas Nature Conservancy, staff appreciates what she has accomplished.

Kenneth Banks Hand-out - Texas Watershed Steward Training

Briggs – What can COD do to promote businesses for emission reduction.
LED Presentation update
Citizen Environmental Advisory Board – research what other cities do
Update DME solar

The meeting was adjourned by consensus at 2:40 p.m.