

Draft of Priority Issues with Tree Minimum Standards

	Issue	Options
1	The current standards provide an exemption for tree removal for agricultural uses. There is no provision for requiring tree replacement upon subsequent conversion of agricultural land to another use. [Section 50-169(a)(2)]	Include a provision that states that upon conversion from an agricultural use, the development can be exempted from tree removal and replacement and specimen tree requirements if at least 15% of the property has been retained in trees or native habitat. If 15% native vegetation does not exist, all other requirements of the ordinance apply. Provides an incentive for ag. owners to retain trees rather than clear in anticipation of future development.
2	The current standards protect only trees, which does not adequately protect native habitat.	Change the name of the Division to "Trees and Native Habitat Protection". Modify Section 50-170(c) to require preservation of a certain percentage (see # 4 below) of existing trees or other native habitat. If the site contains insufficient tree or habitat area, revegetation with native plants would be required. On industrial or commercial projects, up to 10% of this area may be underbrushed to allow for visibility through the front buffer if all existing trees are unharmed.
3	The current standards do not require permitting and replacement for trees smaller than 6" DBH, which does not adequately protect scrub species. [Section 50-170(c)]	Change the definition of a tree to state that rusty lyonia, chapman oak, myrtle oak, scrub oak and sand live oak are considered a tree if their trunk is a minimum of 2" DBH (more restrictive) .
4	The tree preservation area requirement is currently 15% of the total size of the development. [Section 50-170(c)]	Create a graduated habitat preservation area (as described in #2) requirement of 15% in the county (no change) , 20% in NRMA (more restrictive) , and 25% in ECO (more restrictive) . Add a provision that allows developers to retain a larger percentage of native habitat in lieu of providing tree removal and replacement (should still have to meet specimen and historic requirements). Question – how much additional would qualify? In addition, allow for a preservation area discount of 5% for land uses outside of NRMA and ECO which are identified as industrial or high intensity commercial (less restrictive) .
5	The current standards do not allow for modification of the specimen tree requirements if warranted by specific on-site conditions, such as the condition, location, or quantity of specimen trees on site. [Section 50-170(b)(2)]	Add a provision allowing the local government to waive or modify this requirement if warranted by specific on-site conditions, similar to what is at the end of Section 50-170(c). Can also add a statement that additional preservation or replacement can be considered in exchange for granting a waiver. Adds flexibility – less protective.

6	Specimen tree list needs to be updated. Water oaks and laurel oaks are considered specimen trees, however these species are not long lived and become hazardous as they get large.	Add longleaf and loblolly pine and tupelo to specimen tree list at 18". Put sand live oak in as specimen at 12". More protective. Remove water and laurel oaks from the definition of specimen tree. Less protective
7	Currently a historic tree is defined as "any Live Oak (<i>Quercus virginiana</i>) or Bald Cypress (<i>Taxodium distichum</i>) 36 inches DBH or greater or any other tree which is 36 inches DBH or greater and is determined by the local governing body to be of such unique and intrinsic value to the general public because of its size, age, historic association, or ecological value as to justify this classification. Any tree in this county selected and duly designated a Florida State Champion, United States Champion or a World Champion by the American Forestry Association shall likewise be within this definition."	Expand the definition of historic tree to change the size of an historic live oak or bald cypress to 30", and add southern magnolia, long leaf pine, red cedar, pignut hickory, tupelo, and multi-trunk live oaks with a total diameter of 60".
8	The current code states that each lot shall contain a minimum of one tree per 2,500 square feet of lot area. [Section 50-170(a)(1)]	Create a graduated minimum standard of 1/2,500 in the county (no change), 1/2,000 in NRMA (more restrictive), and 1/1,000 in ECO (more restrictive).

Administrative changes:

Change 50-170(b)(1) table inset to read "3.0 up to 5.0 per acre" and "5.0 up to 8.0 per acre" with the intent that 5.0 per acre would require preservation of 50% of all specimen trees and 8.0 per acre would require preservation of 4 specimen trees per acre.

Include camphor tree, and golden rain tree, or any tree listed as a Category I exotic by FLEPPC in the list of exempt tree species.

Correct the spelling of *Juniperus* in the specimen tree definition.

Amend the definition of agricultural uses to be consistent with the unified definition being drafted by legal.

Change the definition of clearing.

Add definition of mechanical clearing.

Add habitat to purpose and intent and throughout the document.

Replacement trees shall be on the east and west sides of the structure where possible.