

ALACHUA COUNTY

Article 2 Trees and Native Vegetation

406.09 Purpose

The purpose of this Article is to implement policies contained in the Alachua County Comprehensive Plan to preserve, protect, and encourage the proliferation of trees and native vegetative cover within Alachua County, as well as relocation or replacement where necessary, and to control and eliminate invasive non-native species. Protection of trees and native vegetation is intended to promote carbon dioxide absorption, oxygen production, dust filtration, reduction of wind, noise, and glare, soil stabilization and enrichment, erosion prevention, surface drainage improvement and aquifer recharge, water pollution reduction, wildlife habitat, energy conservation, temperature moderation, the economic enhancement of improved and vacant lands, scenic beauty, quality of life, and the health, safety, welfare and well-being of the community.

406.10 Applicability

(a) Regulated trees include Champion trees, Heritage trees, woody native tree species 8" or more in diameter at breast height (dbh), specimen trees and those small specimen trees identified on Table 406.16.1 that are of significant value to the natural system. Additional requirements are included in other portions of this ULDC, including but not limited to the special area studies, activity centers and special planning districts in Chapter 405 and for single family lots 2 acres or less.

(b) Except as specifically provided in this Chapter, all land clearing and regulated tree removal in all land uses and zoning districts shall be prohibited without prior approval.

(c) Regulated trees shall not be removed after the issuance of a certificate of occupancy without securing another permit.

(d) Existing native vegetation on a development site shall be protected in accordance with the following requirements in this ULDC:

1. Provision of Open Space in accordance with Article 5 of Chapter 407;
2. Protection of Significant Plant and Wildlife Habitat in accordance with Article 3 of this Chapter;
3. Protection of all other Conservation and Preservation areas as identified in this Chapter; and
4. Protections required by an adopted special area plan as identified in Chapter 405 of this ULDC.

(e) The planting of non-native vegetation listed in F.A.C. 62C-52.011, Florida Prohibited Aquatic Plants List, and F.A.C. Rule 5B-57, Florida Noxious Weed List, shall be prohibited. The planting of non-native vegetation listed in Table 406.16.2 shall be discouraged. The removal or control of all non-native invasive species shall be encouraged where not required by this Section.

(f) For the purposes of this Section, a qualified professional includes a landscape architect, or environmental professional, or arborist.

406.11 Exemptions

(a) Residential Lots Two Acres or Less

Residential lots two acres or less in gross size shall be exempt from the provisions of this Article, provided that no champion or heritage trees shall be removed. All regulated trees and native vegetation identified for protection on lots subject to a previously approved development plan, plat, special area study, or preservation buffer overlay shall be retained.

(b) Agricultural and Silvicultural Activities

406.12 Permitting

A tree removal permit is required for the removal of trees and alteration of associated native vegetation as set forth below.

(a) Development Applications

All development applications including those for single-family residences on lots greater than two acres shall be subject to the permit conditions for tree removal set forth below.

1. Applicants for development plans shall be required to have a pre-design onsite meeting with the County Forester/Landscape Inspector, Codes Enforcement Director, or their designee, to locate any regulated trees and to discuss protection methods for retention or relocation.

2. Removal or eradication of prohibited and discouraged non-native vegetation, identified in §406.10(e) shall be completed for the entire parcel concurrent with the permitted tree removal and prior to final inspection unless a phasing plan has been approved in writing by the County. This requirement shall not apply for an application involving one single-family residence.

3. Development plan and subdivision plats shall be designed such that a minimum of 20 percent of the tree canopy shown on the most recent aerials of the property available at the time of the application is retained. The landscape plan for the development shall also demonstrate that within 20 years, 30 percent of the site will be under mature canopy.

4. Development plans shall incorporate each regulated tree and associated native vegetation within the area of the drip line in its original location to the greatest extent possible. In creating a plan to minimize the removal of regulated trees and associated native vegetation, consideration shall be given to preserving non-invasive trees that exhibit the following characteristics.

a. Are located within regulated natural resource areas or significant habitat which may be protected as conservation management areas.

b. Help to create, provide, or extend connectivity or linkages to other natural areas in the form of tree and vegetation corridors.

c. Are champion, heritage, specimen trees, or small specimen trees listed in Table 406.16.1.

d. Exist in natural groupings.

e. Complement the project design including enhancement of the architecture, landscape architecture, and streetscape appearance.

f. Are located in required buffer areas.

g. Screen unpleasant views or augment desirable views.

h. Provide shade to structures, areas, or activities within or associated with the lot.

i. Complement stormwater design.

j. Are disease and insect resistant.

k. Have strong branching and root patterns.

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(b) Additional Permit Conditions

A tree removal permit may also be issued for the removal of regulated trees in the following circumstances, provided the County determines that there will be no significant adverse environmental impacts.

1. Tree is under attack from an infestation of harmful insects or fungi that are not

generally present on other trees of the species and may reasonably be expected to spread to trees not so infested.

2. Tree constitutes an immediate safety hazard, either to persons or to domestic animals, or to buildings, or to other constructions, or to motor, or bicycle, or pedestrian traffic.

3. Tree that, by the normal growth of its branches or roots, is causing progressive damage to buildings or structures, where no reasonable correction or prevention is available other than removal.

(c) Application Requirements

At the time of permit application, and prior to any land clearing

406.15 Unauthorized Removal

When regulated trees are removed or damaged without a permit or when trees that were to be preserved in place or relocated are damaged or destroyed during activities conducted with a permit, they shall be replaced at double the rate identified in §406.14 for heritage trees, and at the rate shown below in Table 406.15.1 for all other regulated trees.

Table 406.15.1

Tree Mitigation Table

>17 inches to 20 inches 6

>14 inches to 17 inches 5

>11 inches to 14 inches 4

>8 inches to 11 inches 3

Less than 8 inches 2

406.16 Tree Lists

(a) Small Specimen Tree List

The list of trees identified in Table 406.16.1 includes those small specimen trees identified by the County to be of notable interest or high value for their species

because of their age, size, condition, historic association or uniqueness. As part of the development review process, protection of these species through preservation or relocation will be determined on a tree-by-tree basis by the County

Forester/Landscape Inspector.

(b) Discouraged Non-Native Vegetation List

The list of non-native vegetation identified in Table 406.16.2 includes those species for which planting is discouraged in addition to the prohibited species identified in §406.10(e).

Small Specimen Tree List

Acer negundo boxelder *Morus rubra* red mulberry

Acer saccharum subsp.

floridanum

Florida sugar

maple *Myrica cerifera*

wax myrtle

Aesculus pavia red buckeye *Nyssa ogeche* ogeechee tupelo
Alnus serrulata hazel alder *Osmanthus americanus* devilwood
Aralia spinosa devil's-walkingstick *Ostrya virginiana* eastern hophornbeam
Betula nigra river birch *Persea borbonia* var. *humilis* silk bay
Carpinus caroliniana ironwood; blue beech *Planera aquatica* planer-tree
Castanea pumila chinquapin *Prunus americana* American plum
Catalpa bignonioides southern catalpa *Prunus angustifolia* Chickasaw plum
Cephalanthus occidentalis buttonbush *Prunus caroliniana* laurel cherry
Cercis canadensis redbud *Prunus umbellata* flatwoods plum
Chionanthus virginicus fringe tree *Ptelea trifoliata* common hoptree
Cliftonia monophylla black titi *Quercus chapmanii* Chapman oak
Cornus asperifolia roughleaf dogwood *Quercus incana* bluejack oak
Cornus florida flowering dogwood *Quercus leavis* turkey oak
Cornus foemina swamp dogwood *Quercus margaretta* sand post oak
Crataegus aestivalis may haw *Quercus myrtifolia* myrtle oak
Crataegus crus-galli cockspur hawthorn *Rhamnus caroliniana* Carolina buckthorn
Crataegus flava yellowleaf hawthorn *Rhus copallinum* winged sumac
Crataegus marshallii parsley hawthorn *Salix caroliniana* coastal plain willow
Crataegus michauxii Michaux's hawthorn *Salix floridana* Florida willow
Crataegus uniflora dwarf hawthorn *Salix nigra* black willow
Crataegus viridis
green hawthorn
Sambucus nigra subsp.
canadensis
elderberry
Cyrilla racemiflora red titi *Sapindus saponaria* Florida soapberry
Diospyros virginiana persimmon *Sassafras albidum* sassafras
Forestiera acuminata swampprivet *Sideroxylon alachuense* silver buckthorn
Fraxinus caroliniana Carolina ash; pop ash *Sideroxylon lanuginosum* gum bumelia
Gleditsia aquatica water locust *Sideroxylon lycoides* buckthorn bully
Halesia carolina Carolina silverbell *Sideroxylon tenax* tough bumelia
Hamamelis virginiana witch-hazel *Styrax americanus* American snowbell
Ilex ambigua Carolina holly *Symplocos tinctoria* horse sugar/sweetleaf
Ilex cassine dahoon *Tilia americana* var. *caroliniana* basswood
Ilex cassine var. *myrtifolia* myrtle-leaved holly *Vaccinium arboreum* sparkleberry
Ilex coriacea large gallberry *Viburnum nudum* possumhaw viburnum
Ilex decidua possumhaw *Viburnum obovatum* Walter's viburnum
Ilex opaca var. *arenicola* American holly *Viburnum rufidulum* rusty blackhaw
Ilex vomitoria yaupon *Zanthoxylum clava-herculis* Hercules-club
Lyonia ferruginea tree lyonia

Article 3 Significant Plant and Wildlife Habitat

406.17 Purpose

The purpose of this Section is to implement the Alachua County Comprehensive Plan, to protect natural upland plant communities which have the potential to maintain healthy and diverse populations of plants or wildlife, to preserve the ecological values and functions of significant plant

and wildlife habitats, to provide for habitat corridors and minimize habitat fragmentation, in order to maintain and enhance the diversity and distribution of plant and animal species which are of aesthetic, ecological, economic, educational, historical, recreational, or scientific value to the county and its citizens.

406.18 Applicability

Development activities on all parcels greater than or equal to two acres in size shall be evaluated for the protection of significant habitat prior to clearing, grading, or other alteration of the habitat.

406.19 Development of Planning Parcel

Planning parcels containing significant plant and wildlife habitat or listed species habitat shall not be disaggregated, processed in piecemeal fashion, reviewed or developed in any manner that results in lesser natural resources protections than would otherwise be required if all land under common ownership or control were considered as a single proposal. To this end, where development or alteration of only a part of a planning parcel is proposed, the following shall be required:

(a) The applicant shall provide documentation identifying all contiguous properties within Alachua County not separated by a public road that are under common ownership or control extending to the more recent of either May 2, 2005, or five years before submittal of the application.

(b) A detailed natural resources assessment shall be provided for the proposed project area pursuant to §406.04. Regulated natural and historic resources shall be inventoried using the best available data for the remainder of the planning parcel, and all significant plant and wildlife habitat and listed species habitat shall be identified in accordance with §406.20.

(c) Where regulated significant habitat or listed species habitat is identified, in order to proceed, the applicant must demonstrate that the proposed project does not result in lesser protection than would otherwise be required if the entire planning parcel were considered as a single proposal. If the applicant cannot demonstrate such protection, they must complete one of the following:

1. A master plan shall be completed for the planning parcel subject to approval by the Development Review Committee. The resource master plan shall identify the location of significant habitat and listed species habitat including both the area set aside for permanent protection and any remaining habitat area subject to minimization requirements, and shall include a signed affidavit from each property owner within the planning parcel identifying their willingness to participate in the master plan process; or

2. If any property owner within the planning parcel is unwilling to participate in the master plan process, a special area plan shall be authorized by the Board of County Commissioners, initiated either by the applicant or the County, subject to the requirements of Article 16 of Chapter 402 of this ULDC.