

Sec. 50-71. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Words not defined in this section shall be construed to have the meaning given by common and ordinary use as defined by Webster's New World Dictionary, Second College Edition.

Agricultural use means the use of land in horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, beekeeping, pisciculture and all forms of farm products and farm production.

Caliper means the minimum trunk diameter of a replacement tree as measured at a predetermined point of measurement. Trunk diameter for trees up to four inches is to be measured six inches above the soil line. All trees over four inches in diameter will be measured 12 inches above the soil line.

Clearing means the removal of any trees from the land, but shall not include mowing or grubbing.

Deteriorated means degenerated or damaged to the point where the death of the tree is imminent or to the point where the tree poses a significant hazard.

Developer means any person undertaking any development.

Development means any significant manmade change, as determined by the local government, to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating, permanent storage of materials, or the dividing of land into two or more parcels. Development includes but is not limited to the following:

- (1) A reconstruction, alteration of the size, or structural change in the external appearance of a structure on land.
- (2) A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land; or a material increase in the number of businesses, manufacturing establishments, offices or dwelling units on the land as may be determined by the local government.
- (3) Alteration of a shore or bank of a seacoast, river, stream, lake, pond or canal, or stormwater management facilities, including any coastal construction as defined in F.S. § 161.021.
- (4) Mining or excavation on a parcel of land.
- (5) Demolition or removal of a structure.
- (6) Clearing of land as an adjunct of construction.
- (7) Deposit of refuse, solid or liquid waste, or fill on a parcel of land.

Diameter at breast height (DBH) means the trunk diameter of a tree measured 4½ feet above the average ground level at the base of the tree. However, if the tree forks 4½ feet above ground level, it is measured below the swell resulting from the double stem. Stems that fork below 4½ feet above ground level should be considered separate trees.

Historic tree means any Live Oak (*Quercus virginiana*) or Bald Cypress (*Taxodium distichum*) 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

Commented [GA1]: Consider adding bald cypress and longleaf pine. Also consider changing the size from 36" to 32" or 34"

39 and duly designated a Florida State Champion, United States Champion or a World Champion by the
40 American Forestry Association shall likewise be within this definition.

41 *Local government* means any municipality in the county, and the county.

42 *Lot* means an area of land which abuts a street and which either complies with or is exempt from
43 the county subdivision regulations, or a municipality's subdivision regulations, and is sufficient in size to
44 meet the minimum area and width requirements for its zoning classification as established in article VII
45 of Ordinance No. 80-8, as amended (the zoning ordinance, appendix B to this Code), or a subdivision or
46 any other tract or parcel of land, including the airspace above or contiguous thereto, intended as a unit
47 for transfer of ownership or for development or both. The word "lot" includes the word "plot," "tract" or
48 "parcel."

49 *Multifamily/commercial lot* means a parcel of land duly subdivided which is zoned by the local
50 government as other than a residential lot as defined in this section.

51 *Municipality* means a duly incorporated municipality in the county.

52 *Person* means any individual, firm, association, organization, whether social, fraternal of business,
53 partnership, joint venture, trust company, corporation, receiver, syndicate, business trust, or other
54 group or combination acting as a unit, including any government.

55 *Residential lot* means a parcel of land duly subdivided and zoned for single-family or two-family use
56 by the local government.

57 *Site development plan* means the plan as may be required by the local government which shows all
58 site conditions, all proposed site improvements, and the means by which the developer will conform
59 with the requirements of divisions 4 and 5 of this article.

60 *Specimen tree*. The following species of trees with the minimum specified diameter at breast height are
61 determined to be specimen trees in the county:

Common Name	Botanical Name	DBH
Turkey Oak	(<i>Quercus leavis</i>)	12 inches and larger
Other Oak species	(<i>Quercus</i> spp.)	18 inches and larger
Maple	(<i>Acer</i> spp.)	18 inches and larger
Sweet Gum	(<i>Liquidambar styraciflua</i>)	18 inches and larger
Hickory	(<i>Carya</i> spp.)	18 inches and larger
Elm	(<i>Ulmus</i> spp.)	18 inches and larger
Loblolly Bay	(<i>Gordonia lasianthus</i>)	12 inches and larger
Sweet Bay	(<i>Magnolia virginiana</i>)	12 inches and larger
Red Bay	(<i>Persea borbonia</i>)	12 inches and larger
Swamp Bay	(<i>Persea palustris</i>)	12 inches and larger
Sycamore	(<i>Platanus occidentalis</i>)	18 inches and larger
Magnolia	(<i>Magnolia grandiflora</i>)	12 inches and larger
Bald Cypress	(<i>Taxodium distichum</i>)	18 inches and larger
Red Cedar	(<i>Juniperus silicicola</i>)	12 inches and larger

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63 *Subdivision* means the division of a parcel or tract of land, whether improved or unimproved, into
64 two or more lots or parcels of land for the purpose, whether immediate or future, of any kind of transfer
65 of ownership or right to possession, or for any building development, including a condominium in which
66 there is or is intended to be: (1) any division of any parcel or tract into units; or (2) any division of the
67 airspace into units above or contiguous to any parcel or tract held in common, undivided ownership. If
68 the establishment of a new street is involved, this term shall mean any division of any parcel or tract of
69 land. The term "subdivision" includes a resubdivision and replatting and, when appropriate to the
70 context, shall relate to the process of subdividing or to the land subdivided or any definitions employed
71 by a municipality for the term "subdivision" used in its land use regulations.

72 *Tree* means any woody, self-supporting plant characterized by having a single trunk of at least six
73 inches DBH or multistem trunk system with well-developed crown at least 15 feet high as measured
74 from its base, with the exception of those exempted trees listed in subsection 50-169(a)(6).

75 *Tree survey* means a drawing prepared to a scale as may be determined by the local government,
76 which provides the location, DBH and common name of specimen trees located on a given parcel of land
77 intended for development. Said drawing shall show any improvement, structures or buildings proposed
78 on the development. The tree survey need not encompass contiguous property of the applicant which is
79 not to be included within the actual limits of the area subject to development consideration.

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Commented [GA2]: Consider revising to : *Protected Tree:*
Any woody self-supporting plant characterized by having a
single trunk of at least six inches DBH, or any tree of that
has been planted or preserved to meet tree replacement
requirements, regardless of size or multistem trunk system
with well developed crown at least 15 feet high, as
measured from its base shall be considered a tree.