

Unified Land Development Code Revision Language

CODE: Chapter 406 Article II will be repealed prior to Tree List Tables (Table 406.16.1, 406.16.2) and replaced with language as shown; in other Sections, words ~~stricken~~ are deletions; words underlined are additions

ARTICLE II. TREES AND NATIVE VEGETATION

Sec. 406.09. Purpose.

The purpose of this Article is to implement policies contained in the Alachua County Comprehensive Plan to preserve, protect, and enhance the quality and quantity of the County's tree canopy while balancing the need for development and improvement of property. Protection of trees and native vegetation promotes 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, scenic beauty, quality of life, and the health, safety, welfare, and well-being of the community.

Sec. 406.10. Applicability.

This Article applies to all new development and redevelopment in unincorporated Alachua County, as well as existing residential lots and existing developments as provided for in applicable Sections.

Developments with a valid preliminary development plan or planned development, approved prior to XXXXX 2025, may provide tree canopy protection in a Final Development Plan consistent with the approved preliminary development plan or planned development and are exempt from Sections 406.14(a) and 406.14(c).

Sec. 406.11 Administration

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.

(a) Regulated trees include:

- (1) Native tree species eight (8) inches diameter breast height (dbh) or more; and
- (2) Specimen trees identified in Table 406.16.4.

(b) Definitions.

- (1) *Diameter at Breast Height (DBH)*: The diameter of a tree measured at four and one-half (4.5) ft above the naturally occurring ground level.
 - a. Trees that fork at or within 6 inches of grade are treated as separate trees and measured separately.

- b. Trees that fork at or above 6 inches and below four and one-half (4.5) feet are measured below the fork and recorded as a single trunk.

(2) *Tree, Abundant species:* Common species that are widely planted or are short lived, regardless of condition.:

- a. Laurel Oaks;
- b. Water Oaks;
- c. Loblolly pine;
- d. Slash pine;
- e. Pecan; and
- f. Sweetgum.

(3) *Tree, champion:* Those trees that have been identified by the Florida Forest Service being the largest of their species within the State of Florida or by American Forests as the largest of their species in the United States.

(4) *Tree, heritage:* All native tree species 20 inches dbh or greater, except abundant species, which are heritage trees when measured at thirty (30) inches or greater in diameter.

(5) *Tree, landmark live oak:* live oaks 45-inches dbh or greater and rated four (4) or greater.

(6) *Trees, specimen:* Trees of notable interest or high value because of their age, size, species, condition, historic habitat association, and/or uniqueness
Specimen status applies to all trees defined in Table 406.18.1.

(7) *Tree canopy:* Coverage by branches and foliage of the crown spreads or driplines of all regulated trees existing on a site.

(8) *Tree Protection Zone (TPZ):* The area surrounding a tree calculated as a radius of one (1) foot for every one (1) inch of dbh, and measured from the center of the tree.

(9) *Tree root plate:* The below-ground area adjacent to the trunk where major buttress roots and support roots occur. The area is calculated as a radius of four (4) times the diameter of the tree trunk. (e.g., a two-foot diameter trunk has a root plate radius of eight (8) feet).

(c) A qualified professional, in this section, includes a:

- (1) Florida licensed landscape architect,
- (2) Environmental professional, or
- (3) Arborist, certified by the International Society for Arboriculture.

Sec. 406.12. Prohibitions

- (a) All land clearing and regulated tree removal, in all Future Land Use and zoning districts, is prohibited without prior approval from the County, with the following exceptions:
 - (1) Activities covered by an exemption specifically provided for in Sec. 406.06; or
 - (2) Under brushing and mowing for the purposes of maintenance of Nuisance Overgrowth per Article VI, Chapter 74 of Alachua County's Administrative Code.
- (b) Property owners, developers, or contractors must not remove regulated trees after the issuance of a certificate of occupancy without securing another tree removal permit.
- (c) The planting of non-native vegetation listed in F.A.C. 5B-64.011, Prohibited Aquatic Plants, and F.A.C. 5B-57.007, Noxious Weed List, or species listed in Table 406.16.2 is prohibited. The removal or control of all non-native invasive species is encouraged where not required by this Section and is not subject to a tree removal permit requirement.

Sec. 406.13. Exemptions.

The following are exempt from the permitting requirements of this Article.

- (a) *Hazardous trees.* If a property owner obtains documentation, from an arborist certified by the International Society for Arboriculture or a Florida licensed landscape architect demonstrating that a tree on property with an existing residential structure presents an unacceptable risk to persons or property, no notice, application, approval, permit, fee or mitigation is required to prune, trim, or remove the tree, consistent with F.S. § 163.045.

A tree poses an unacceptable risk if removal is the only means of mitigating its risk below "moderate," as determined by the tree risk assessment procedures outlined in the current, most recent edition of International Society of Arboriculture (ISA) Best Management Practices – Tree Risk Assessment.
- (b) *Removal for protection of health, safety and welfare.* A utility, or other public entity, may remove a tree for the immediate protection of the health, safety, or welfare of the public without a tree removal permit.
- (c) *Agricultural and silvicultural activities.* Clearing and replanting or reestablishing vegetation for bona fide agricultural purposes (including bona fide forestry) is exempt from this section, subject to the following provisions:
 - (1) Activities must be conducted in accordance with all applicable federal, state, and water management district best management practices, and verified in accordance with Subsection 406.05(c).
 - (2) The permit exemption does not apply to the following:
 - a. The removal of champion trees.
 - b. The removal of heritage trees within fifty (50) feet of property ownership boundaries or within one hundred (100) feet of all publicly owned parks for bona fide agricultural purposes other than forestry

(d) *Development plans.* The following types of development are exempt from the minimum tree canopy preservation requirements of Section 406.14(b):

- (1) Personal wireless services facilities;
- (2) Rural subdivisions with no more than nine lots in the rural agricultural area developed per Sec. 407.76 and Family Homestead Subdivisions developed per Sec. 407.75. These subdivisions are subject to the single-family lot tree removal regulations in Sec.406.16.2
- (3) Redevelopment of existing sites

Sec. 406.14. Tree protection requirements for development plan applications.

- (a) *Landmark live oaks and Champion Trees.* Landmark live oaks and Champion Trees must be preserved unless approved for removal by the Board of County Commissioners.
An applicant must demonstrate that the development or construction activity cannot occur in any other location on the site, that removal is unavoidable due to site conditions and/or design considerations beyond the applicant's control, or that there is a specific public purpose.

(b) *Minimum Preservation Required.* All development applications, set forth in Chapter 402, Article X, are subject to tree canopy preservation regulations.

- 1) Development plans and subdivision plats must retain a minimum of twenty (20) percent of the existing tree canopy.
- 2) TNDs and TODs, cottage neighborhoods, and affordable housing developments, must retain a minimum of five (5) percent of the existing tree canopy.
- 3) Residential developments, other than TNDs, TODs, cottage neighborhoods, and affordable housing development, that achieve ninety (90) percent of the maximum allowable residential density must retain a minimum of ten (10) percent of the existing tree canopy.

(c) *Hierarchy.* Development plans must preserve native trees that exhibit the characteristics listed below and prioritize them in the following order:

- (1) Champion trees
- (2) Landmark live oaks
- (3) Heritage and specimen trees rated four (4) and above
- (4) Located within Conservation Management Areas required for preservation by this ULDC
- (5) Exist in natural groupings to create qualifying Open Space areas or connectivity to other natural areas
- (6) Other required buffers
- (7) Complement project design such as enhancement of street scape appearance, in the absence of the above

(d) Tree Protection Standards.

(1) Primary protection zone . For Champion trees, landmark live oaks and heritage red oaks, the primary protection zone shall be the Tree Protection Zone (TPZ). For all other trees in the minimum preservation are required in 406.14(b), the primary protection zone shall be the dripline.

(2) Impacts to the primary protection zone may only be proposed for up to 50 percent of the protected area of each individual tree. Management techniques as noted in (4), below, may be required with the Final Development Plan. No mitigation is required for impacts up to 50 percent.

(3) For trees retained beyond the minimum required in 406.14(b), up to 75 percent of the dripline of each individual tree may be impacted with appropriate management techniques. For impacts between 50 and 75 percent of the dripline, 50 percent of the mitigation amount in Table 406.15.1 is required. In no case can trees that require TPZs be impacted beyond the 50 percent of the required protection area. For trees within a developed site that has existing impacts, additional de minimis impacts may be allowed on a case-by-case basis depending on the overall health of the tree, and type of new impacts proposed

(4) Appropriate management techniques include, but are not limited to: mulching, irrigation, soil amendments, aeration tubes, and a timeframe for monitoring during and after construction.

(5) The root plate must be protected with the exception of pedestrian and ADA facilities. Proposed impacts to the root plate may be allowed for purposes of ADA accessibility and pedestrian network standards, if provided by ADA-compliant, elevated boardwalks or bridges that allow pedestrian facilities to pass over tree roots without causing damage. Mitigation is not required if elevated structures are used.

(6) Any reduction of the canopy for vertical or horizontal clearance must be reviewed by the County, and a pruning prescription may be required as a condition of the construction permit issuance.

(e) Development Plan Application requirements.

(1) *Prior to preliminary development plan submittal.* The applicant must schedule a pre-design onsite meeting with County staff to locate regulated trees and assess their rating according to Sec. 406.16.1 A tree survey may be required prior to the onsite meeting. The County Forester and Landscape Inspector will provide field notes with ratings and an assessment of the trees to prioritize for

inclusion in the minimum tree canopy preservation areas required in Sec. 406.14(b).

(2) *Preliminary Development Plan.* The following information, in addition to the common application requirements in Chapter 402, Article II, Common Development Application Elements, is required with preliminary development plan applications:

- a. A tree survey, except as noted below. The tree survey must graphically depict the location, field tag number, species, and diameter (dbh) of trees regulated by this section and a tabular list of regulated trees.

The Growth Management Director may determine that a survey identifying each individual protected tree is not warranted for the following:

1. Trees in conservation management areas with no proposed impacts;
2. Trees, such as pines, planted as part of a bona fide agricultural or silvicultural operation; or trees planted as part of a tree nursery.
3. Specimen trees under 8-inches;
4. Proposed improvements that do not otherwise affect or impact trees on an existing developed site; or
5. Sites where few trees exist. The County Forester may assist in capturing the data for inclusion in the application.

- b. Tree canopy preservation plan including the following:

1. The development plan, tree survey data points and tag numbers overlaid on a recent aerial with tree canopy outlines clearly delineated;
2. A table with the rating number assigned by the County at the pre-design onsite meeting;
3. Calculation of the existing tree canopy based on aerial, survey data, or other acceptable methods approved by the County; planted pine silviculture canopy is not included in the existing tree canopy calculation.
4. Calculation of the tree canopy proposed for retention.

(3) *Final Development Plan.* The final development plan application must include:

- a. A demolition plan at a maximum scale of 1"=60' with the location of tree barricades;
- b. An updated Tree Canopy Preservation Plan with development plan overlaid on tree canopy outlines, location of each tree and tag number, calculation of the initial tree canopy based on aerial, survey data, or other

acceptable methods approved by the County, and calculation of tree canopy proposed to be removed and retained. Additionally, provide a graphic indication of each tree proposed for removal, and location of proposed tree barricades;

- c. A tree mitigation plan with numbered tabular list of all regulated trees surveyed indicating the field tag number, species, and diameter (DBH), rating, and whether the tree is proposed to remain or be removed, any mitigation required for its removal, and calculation of total amount of required and proposed mitigation.

Sec. 406.15. Replacement, mitigation, or relocation.

Replacement, mitigation, or relocation is required for the alteration of regulated trees as set forth below.

(a) Mitigation by replacement.

- (1) If a regulated tree cannot be retained or relocated, the parcel owner must install replacement plantings per Table 407.50.1 "Appropriate Tree Plantings." Mitigation for the removal of native heritage trees must be with preferred native tree species appropriate for the historic or current site conditions, subject to the following:
- (2) Regulated trees between eight (8) inches and twenty (20) inches dbh, except those trees listed in Subsection (4) below, must be replaced at a ratio of one (1) tree planted for every tree removed.
- (3) Regulated trees greater than or equal to twenty (20) inches dbh, other than trees listed in Subsection (4) below, must be replaced with native trees at the rates in Table 406.15.1.

Table 406.15.1 Heritage Tree Replacement Rate	
DBH of tree to be replaced	Replacement Rate
20"-29"	Replacement 1" for 1"
30"-39"	Replacement above plus 1.5" for every inch between 30"-39"
40"-44"	Replacement above plus 3" for every inch between 40"-44"
45" +	Replacement above plus 4" for every inch 45" and above

- (4) Regulated trees found to be in poor health (rated 2) per Table 406.16.1 must be replaced at a ratio of one (1) tree planted for every tree removed.
 - (5) No mitigation is required for abundant species such as loblolly pine, slash pine, sweetgum, pecan, under twenty (20) inches dbh and laurel or water oaks under thirty (30) inches dbh.
 - (6) Mitigation for abundant species of heritage size must be replaced at a ratio of one (1) tree planted for each tree removed.
 - (7) Replacement trees must meet the following:
 - a. At least eight (8) feet in height, 1.25 caliper inches;
 - b. Consist of native vegetation, indigenous to the area; and
 - c. Be Florida Grade No. 1 or better in quality according to the current, most recent edition of "Grades and Standards for Nursery Plants", 2nd edition, published by the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, and available from the Florida Nursery, Growers, and Landscape Association (FNGLA). Nursery invoices or labels must clearly specify that Grade #1 or better were purchased and installed on the site.
 - d. Smaller replacement trees may be used on sites where the County determines, on a case-by-case basis, that it is more appropriate due to site conditions and increased likelihood of successful establishment.
 - (8) Native trees identified in Section 407.50 of this ULDC that are planted to meet the requirements for landscaping in Article IV of Chapter 407 may count toward total mitigation requirements for tree replacement.
 - (9) If on-site planting is not feasible due to physical constraints such as limited space or unsuitable soils, off-site replacement may be allowed on a location approved by the County.
 - (10) Monitoring time frames must be established for mitigation and replacement trees when needed.
 - (11) Planted palms receive only two (2) inches of mitigation credit for each palm planted.
- (b) *Mitigation by fee in lieu payment.*
- (1) If relocation or mitigation by replacement are not feasible, a fee may be paid to Alachua County in lieu of replacement planting prior to issuance of a County Construction Permit.
 - (2) Replacement trees may be satisfied by a fee-in-lieu payment to the County for the purchase and relocation of a like tree. The payment amount is in the fee schedule and based on the average cost of the purchase, installation, and

maintenance for one (1) year of an equivalent number of replacement trees or actual cost of removing and replanting regulated trees.

(c) *Relocation.*

- (1) The relocation of a regulated tree may be approved by the County if there is not a reasonable alternative to incorporating it into the development's design.
- (2) The parcel owner must provide irrigation, mulch, soil amendments and other practical means to ensure survival of any relocated tree. If a relocated tree does not survive within a period of three (3) years, the property owner must replace it per the standards set forth in Subsection 406.15(a)). Trees that are successfully relocated do not require mitigation.
- (3) A tree proposed for relocation must be mitigated per the requirements of this article if the County determines that the long-term survival is questionable due to size, species, or other factors.

Sec. 406.16 Tree protection during construction.

The property owner and contractor may only remove vegetation and trees after the issuance of a construction permit outlined in Article XXX of Chapter 402. The removed vegetation and trees must be consistent with the approved development plan.

(a) *Protection during construction.*

Protection methods, including pruning of trees and tree barricades, must conform to American National Standards Institute (ANSI) A-300.

- (1) All development activity must comply with the approved tree protection measures that are identified in the approved plans during all phases of construction, including both infrastructure (horizontal) or buildings (vertical).
- (2) The property owner and contractor must maintain protective barriers that are consistent with approved development plans until the completion of construction, or the County issues the certificate of occupancy. The County Forester and Landscape Inspector must inspect the location of protective measures before the County issues the construction permit.
- (3) The property owner must ensure that all contractors on site are aware of all required protective measures and/or maintenance activities. The County will issue a stop worker for all development activity if a violation of the approved protective measures is found.
- (4) The property owner and contractor must remove or eradicate any prohibited or discouraged non-native vegetation, identified in Subsection 406.12(c), from the entire parcel concurrent with tree removal and construction permit, and prior to the County issuing a certificate of completion for the construction permit, unless a phasing plan has been submitted in writing and approved by the County.

(b) *Tree barricade construction.* The contractor must construct barricades that are:

- (1) Supported by posts, placed no more than ten (10) feet apart and implanted deeply enough in the ground to be stable with at least three (3) feet of the post visible above the ground. The posts must be wood posts, angle iron fence posts, or other post material of equivalent size and strength;
 - (2) Linked together by a brightly colored, net fence fabric; and
 - (3) Located in a way that does not cause harm to protected vegetation; and
 - (4) Must place silt fencing on the development side of any required tree barricading where silt fencing is required.
- (c) *Alternative fencing requirement.* The County may require alternative fencing materials, such as chain link fencing, on a case-by-case basis where additional protection is necessary due to intensity of development activity, vulnerability of trees or native vegetation to be protected, or similar circumstance.
- (d) *Restrictions within the undisturbed areas.* The following construction activities are prohibited in the undisturbed areas:
- (1) Digging, trenching, construction lay-down areas, placement of hazardous materials, including fuels and solvents, placement of fill or soils, and parking of construction vehicles or employee vehicles;
 - (2) Attaching wires, other than those of a protective and non-damaging nature, to any tree.
 - (3) Grade changes within any undisturbed area without prior approval by the County inspector. If a grade change is made and roots larger than one (1) inch in diameter are damaged or exposed, the contractor must cut the roots cleanly and re-cover them with soil.
 - (4) Landscape preparation in the undisturbed area is prohibited, unless specifically approved by the County, and is limited to placement of sod, mulch, or other ground covers.
- (e) *Repair of damage.* The property owner and contractor must replace trees that have been destroyed or received major damage during development activities prior to the issuance of the Certificate of Occupancy, in accordance with Section 406.16.3 Penalty for Unauthorized Removal.

Sec. 406.16.1 Tree Rating System: The County Forester and Landscape Inspector and qualified professionals must use the following table to assess the health of and mitigation requirements for champion, heritage, and specimen trees under consideration for the required minimum preservation areas.

Table 406.16.1**Tree Rating and Associated Mitigation**

RATING	CHARACTERISTICS PRESENT	HEALTH/ MITIGATION
5	<ul style="list-style-type: none"> a. Live crown density greater than 85% b. Balanced canopy c. Strong branch structure d. No fungal pathogens, diseases, or pest observed e. Healthy trunk taper f. Root collar completely visible and root system is uncompromised g. Complete compartmentalization of previous injuries and pruning with healthy response growth 	Excellent/ Table 406.13.1
4	<ul style="list-style-type: none"> a. Live crown density between 70% and 85% b. Canopy is balanced or may be slightly imbalanced c. A mixture of strong and weak branching structure d. No fungal pathogens, diseases, or pests observed e. Healthy to moderate trunk taper f. Root collar completely visible and root system is uncompromised g. Signs of compartmentalization, tension wood or response growth present to support natural lean 	Good/ Table 406.13.1
3	<ul style="list-style-type: none"> a. Live crown density between 50% and 70% b. Canopy is slightly imbalanced or skewed c. Moderate codominant branching and stems d. Little to no fungal pathogens, diseases, pests observed e. Moderate trunk to less than average taper due to growth in densely wooded environment f. Root collar visibility varies (partially covered or covered), and root system generally appears uncompromised or may have some decay or girdling g. Some areas of decay with response growth present from previous injuries or part failures 	Average/ Table 406.13.1

2	<ul style="list-style-type: none"> a. Live crown density between 25% and 50% b. Unbalanced canopy c. Significant codominance, poor branching structure with weak unions or attachments d. Fungal conchs, disease symptoms, or pests present. Root collar not visible, lifted root plate e. Poor trunk taper, bark on trunk missing with no response growth f. Root collar not visible, lifted root plate or compromised roots. Fungal conchs or other fatal pathogens present g. Prominent lean with no supporting tension wood, lack of compartmentalization, and no response growth; decay present 	Poor/ Tree for Tree
1	<ul style="list-style-type: none"> a. Dead or in extreme decline b. Live crown density less than 25% c. Significant codominance d. Complete colonization of fungal or other pathogens easily visible e. Extensive decay, greater than 50%, hollow f. Heaving root plate 	Dead or Extreme Decline/None

Sec. 406.16.2 Tree removal permits

(a) Permit applications. The following information is required for all regulated tree removal permit applications for residential lots of record and existing developed sites:

- (1) Name, address, telephone number, and email address of the property owner, if the application is submitted by a property owner.
- (2) A notarized affidavit designating the authority to file an application to the agent in addition to the information in Section 406.20(a)(1) if the applicant is applying on behalf of the property owner.
- (3) A description of the project including the number of trees to be removed, species, and associated sizes. If the tree removal is needed for an affiliated building permit, or Preapplication Screening review, then note the file number in the description. The County strongly encourages including a site plan or survey

of the property which identifies the area of any proposed clearing for improvements as an attachment in the application.

(b) Residential Lots. All construction activity on a lot of record that is to be used for residential purposes is subject to the requirements for tree removal set forth below, unless otherwise specified in an approved development order. A tree removal permit may be issued for activity on a lot of record where the tree has not been calculated for canopy retention under Subsection 406.14.

- (1) Landmark Live Oaks. Removal may be approved by the Board of County Commissioners upon demonstration by the applicant that the development or construction activity cannot occur in any other location on the site, or that removal is unavoidable due to site conditions and/or design considerations beyond the control of the applicant.
- (2) A tree removal permit and any associated mitigation are not required on residential lots of record one (1) acre or less provided no champion or heritage trees are removed and all other ULDC requirements are met. If a champion or heritage tree is proposed to be removed, a tree permit is required per the requirements of Subsections (3) and (4) below.
- (3) Regulated trees less than twenty (20) inches, and abundant species less than thirty (30) inches, do not require mitigation, provided their removal is restricted to an area of no more than one (1) acre.
- (4) Mitigation for heritage trees within the one (1) acre must comply with Table 406.15.1, unless otherwise specified in below.
- (5) Applicants may be required to submit a tree survey and a tree protection plan demonstrating that no heritage trees are impacted in the acreage beyond the one (1) acre allowance, and that the plan complies with all other applicable ULDC requirements, if an area greater than one (1) acre is proposed to be cleared.
- (6) Heritage trees removed for construction of a new residence that are located within twenty (20) feet of the building footprint may be replaced at a ratio of half the mitigation required in Table 406.13.1 if the tree is rated 3-5. For trees rated 2, then one (1) replacement tree for each tree removed will be required. If the tree is rated 1 or in extreme decline, then no mitigation is required.
- (7) Heritage trees located within ten (10) feet of an existing structure, such as the home, pool, or detached garage, or other similar accessory structure, and that are causing damage to the structure must be replaced one (1) replacement tree for each tree removed.
- (8) Any other tree removal outside the areas specified above will be subject to the mitigation requirements of Table 406.15.1

(c) Other tree removal. A tree removal permit may be issued for the removal of regulated trees when the tree:

- (1) 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) 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; or
- (3) Is causing progressive damage to buildings or structures, by the normal growth of its branches or roots, where no reasonable correction or prevention is available other than removal.

Sec. 406.16.3 Penalty for Unauthorized Removal

When regulated trees are removed or damaged without a permit or when trees that were to be preserved in place are damaged or destroyed during activities conducted with a permit, the offending party must replace them at up to double the rate identified in Section 406.15(a).

Remedies for violations of the Tree Code are subject to the Violations, Penalties, and Enforcement provisions of Chapter 409 of this ULDC.

Sec. 406.16.4 – Tree and vegetation lists

- (a) *Specimen tree list.* The list of trees identified in Table 406.16.1 includes specimen trees identified by the County to be of notable interest or high value for their species because of their age, size, condition, historic habitat association, and/or uniqueness. Protection of these species that are less than heritage size through preservation, relocation, or replacement will be determined on a tree-by-tree basis by the County.
- (b) *Prohibited non-native vegetation list.* The planting of non-native vegetation listed in Table 406.16.2, or species listed in F.A.C. 5B-64.011, Prohibited Aquatic Plants, and F.A.C. 5B-57.007, Noxious Weed List, is prohibited.

Note: keep existing Tree Lists in Table 406.16.1 *Specimen Tree List* and Table 406.16.2 Prohibited Non-Native Vegetation List and update the Table numbers.

Table 406.16.1 406.16.5

Specimen Tree List

Specimen status shall apply to any size tree unless otherwise specified below.

Table 406.16.2 406.16.6

Prohibited Non-Native Vegetation List

Other Code Updates

Sec. 401.02. Powers and duties.

The BOCC shall have the powers and duties listed below, in addition to those provided elsewhere in the Alachua County Code.

- (a) *Appointments.* The BOCC shall appoint members of the Planning Commission and such other commissions, boards or officers as required by this ULDC and consistent with the Rules and Procedures of the Alachua County BOCC and the Guidelines for Citizens Advisory Boards and Committees.
- (b) *Comprehensive Plan amendments.* The BOCC has the authority to adopt, adopt with changes, or reject proposed amendments to the Comprehensive Plan and any evaluation and appraisal reports prepared to update the Comprehensive Plan.
- (c) *ULDC amendments.* The BOCC has the authority to approve, approve with changes or deny amendments to the text of this ULDC.
- (d) *Land Development Regulation Commission.* The BOCC shall serve as the Land Development Regulation Commission (LDRC) as provided in F.S. §§ 163.3164(25) and 163.3194(2).
- (e) *Consideration of applications and other actions.* The BOCC has authority to approve, approve with conditions or deny the development applications, including application revisions, and other proposed actions listed below:
 - (1) Amendments to the official zoning map;
 - (2) Special exceptions;
 - (3) Special use permits;
 - (4) Activity center plans;
 - (5) Special area studies;
 - (6) Special area plans;
 - (7) Major or minor amendments to an approved planned development zoning district;
 - (8) Development agreements as provided in F.S. § 163.3220;
 - (9) Developments of regional impact as provided in F.S. Ch. 380;
 - (10) Plats, including final plats, replats, and vacation or abandonment of plats;
 - (11) Vacation or abandonment of streets;
 - (12) Preliminary development plans that exceed thresholds, as established in Article X, Development Plan Review, of Chapter 402;
 - (13) All water and sewer line extensions outside the Urban Cluster line;
 - (14) Change from one nonconforming use to another in accordance with Subsection 408.12(a)(1)(a);

- (15) Construction agreements, plans, and maintenance for public works projects; and
- (16) Final redevelopment plans.
- (17) Removal of Landmark Live Oaks per Article II of Chapter 406.
- (18) For single-family residence - Adverse impact to surface water and wetlands and their buffers; wetland buffer mitigation proposals.

Sec. 402.12. Types of public notice.

Forms of notice required for various public hearings may include mailed notice, published notice provided via a newspaper of general circulation, and posted notice by signs located on the subject property. Neighborhood workshops, in accordance with the procedures of Article V, Neighborhood Workshops, of this Chapter, provide additional notice to the public regarding certain types of development applications. The public notice requirements for development applications are indicated in Table 402.12.1.

Table 402.12.1				
Required Public Notice for Development Applications				
Proposal	Types of Public Notice			
	Written	Published	Posted	Neighborhood Workshop
Comprehensive Plan Amendment, text		X		
Comprehensive Plan Amendment, map	X	X	X	X
ULDC Text Amendment		X		
Rezoning, or Rezoning to Planned Development, Special Exception, Special Use Permit (including Major Amendments)	X	X	X	X
Minor Amendment to Planned Development, Special Exception or Special Use Permit	X	X	X	
Development Plan, heard by DRC		X	X	

Any application for uses included in Sec. 402.14(a)5 heard by DRC or BoCC	X	X	X	X
Preliminary Development Plan, Exceeding thresholds	X	X	X	X
Plat or Replat		X		
Variance		X	X	
Scenic Road Variance	X	X	X	
Activity Center Master Plan	X	X	X	X
Neighborhood Workshop	X	X		
Preliminary CLSC		X	X	
Final Redevelopment Plan		X	X	
New Electric Substation Siting in Residential Areas				X
Subdivisions with no more than 9 lots in the rural agricultural area with a proposed unpaved access way or driveway longer than 1,000 feet.		X	X	
Live Local Act Implementation Applications with 24 or few units			X	
Live Local Act Implementation Applications exceeding 24 units	X		X	X
<u>Single family residence – adverse impact to surface water and wetlands and their buffers; wetland and buffer mitigation proposals</u>		<u>X</u>	<u>X</u>	
<u>Single family Landmark Live Oak removal permit</u>		<u>X</u>	<u>X</u>	

Chapter 410 - Definitions

Diameter at Breast Height (DBH): Diameter at Breast Height (DBH): The diameter of a tree measured at four and one-half (4.5) ft above the naturally occurring ground level.

- a. Trees that fork at or within 6 inches of grade are treated as separate trees and measured separately.
- b. Trees that fork at or above 6 inches and below four and one-half (4.5) feet are measured below the fork and recorded as a single trunk.

~~Diameter breast height (dbh):~~ The diameter of a tree measured at four and one-half (4.5) feet above ground level.

Tree, Abundant species: Common species that are widely planted or are short lived, regardless of condition.:

- a. Laurel Oaks;
- b. Water Oaks;
- c. Loblolly pine;
- d. Slash pine;
- e. Pecan; and
- f. Sweetgum.

Tree, champion: Those trees that have been identified by the Florida Forest Service being the largest of their species within the State of Florida or by American Forests as the largest of their species in the United States.

~~Tree, champion:~~ Those trees that have been identified by the Florida Division of Forestry as being the largest of their species within the State of Florida or by the American Forestry Association as the largest of their species in the United States. The current list of champion trees in Alachua County is on file in the department of growth management.

Tree, heritage: All native tree species 20 inches dbh or greater, except ~~water and laurel oaks~~ abundant species, which are heritage trees when measured at thirty (30) inches or greater in diameter.

~~Tree, heritage:~~ All native tree species, except water and laurel oaks, 20 inches or greater in diameter at a point four and one-half (4.5) feet above ground level, and all water and laurel oaks thirty (30) inches or greater in diameter.

Tree, landmark live oak: live oaks 45-inches dbh or greater and rated four (4) or greater

Tree, regulated: Champion and Heritage trees; any woody native tree species eight (8) inches or more in diameter at breast height (dbh); and those small specimen trees specifically identified in Table 406.16.1 in Article II, Chapter 406 of this ULDC.

Tree root plate: The below-ground area adjacent to the trunk where major buttress roots and support roots occur. The area is calculated as a radius of four (4) times the diameter of the tree trunk. (e.g., a two-foot diameter trunk has a root plate radius of eight (8) feet).

~~*Tree root plate:* the below ground area adjacent to the trunk where major buttress roots and support roots occur. It is generally defined as a circular area with a radius of four (4) times the diameter of the tree trunk at ground level. For example, a two-foot diameter trunk at ground level has a root plate radius of eight (8) feet outside the trunk on all sides.~~

Trees, specimen: Trees of notable interest or high value because of their age, size, species, condition, historic habitat association, and/or uniqueness Specimen status applies to all trees defined in Table 406.16.4.

~~*Trees, specimen:* A tree which has been identified by the County to be of notable interest or high value because of its age, size, species, condition, historic habitat association, and/or uniqueness. Specimen status shall apply to all trees as defined in Table 406.16.1.~~

Tree canopy: Coverage by branches and foliage of the crown spreads or driplines of all regulated trees existing on a site.

~~*Tree canopy:* The area of the property that contains coverage by trees and consists of the total crown spreads or drip lines of all trees existing on site.~~

Tree Protection Zone (TPZ): The area surrounding a tree calculated as a radius of one (1) foot for every one (1) inch of dbh.