



# ***ALACHUA COUNTY DEPARTMENT OF GROWTH MANAGEMENT STAFF REPORT***

**Application Number: Z25-000006**

**Staff Contact: Chris Dawson, Principal Planner (352) 374-5249**

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<b>SUBJECT:</b>	County-initiated text amendment to the Alachua County Comprehensive Plan Conservation and Open Space Element to add additional tree protection policies and modify the policies for determining Open Space within developments.
<b>APPLICANT/AGENT:</b>	Alachua County Board of County Commissioners
<b>CHRONOLOGY:</b>	Local Planning Agency Hearing: March 19, 2025 County Commission Transmittal Hearing: April 22, 2025 County Commission Adoption Hearing: June 24, 2025
<b>STAFF RECOMMENDATION:</b>	Recommend the Board of County Commissioners adopt the Amendment.
<b>PLANNING COMMISSION RECOMMENDATION</b>	Recommend the Board of County Commissioners transmit the Staff Recommendation with consideration of expanding the tree species and quality to be include
<b>BoCC ACTION (transmittal):</b>	Transmit the Amendment to the State Land Planning Agency and other agencies for review and comment.
<b>BoCC ACTION (adoption):</b>	
<b>Staff Report Exhibits:</b>	Exhibit 1 – Proposed text amendments to the Alachua County Comprehensive Plan

## **INTRODUCTION**

Over the last two years, the Board of County Commissioners has discussed the need for additional protection for certain types of trees in new developments. Although the County has amended its land development regulations to attempt to provide for this additional protection, the Commission, through a series of workshops, has identified specific trees for enhanced protection, and the need to provide some flexibility in the Open Space designation criteria to retain additional canopy throughout developments.

## **SUMMARY OF PROPOSED AMENDMENT**

The proposed Comprehensive Plan Amendment would amend the list of Conservation Areas in the Conservation and Open Space Element to include Champion Trees and Landmark Live Oaks. Landmark Live Oaks will be defined in the ULDC. In addition, new policies describing this Conservation resource are included in the amendment. Finally, updates to the Open Space policies are included to recognize the different type of protection that Champion Trees and Landmark Live Oaks will need compared to other Conservation areas, and to clarify criteria used to select Open Space. Some additional changes are proposed to reflect changes in the Future Land Use Element and to better reflect the intent to designate Conservation areas prior to selecting other Open Space.

## **BACKGROUND**

The Alachua County Comprehensive Plan has included Policies 5.4.2 and 5.4.3 since at least 2005. These policies provide the basis for tree protection regulations adopted in the Unified Land Development Code (ULDC). These policies, generally, provide direction to preserve some portion of existing tree canopy on a site. Additionally, the policies direct that Champion and certain specimen trees should be avoided during development.

Since 2006, the ULDC has included tree protection regulations for new development similar to those in effect today. Over that time, the ULDC has moved from a requirement to protect 20% of the tree canopy, to requiring reduced tree canopy preservation for certain types of developments, such as cottage neighborhoods or transit oriented development. As the Commission has reviewed Preliminary Development Plans over the last several years, they have identified a preference for certain types of trees to be protected which requires additional language in the ULDC. The additional policies proposed with this amendment support the Commission's desire to protect certain trees (Champion and Landmark Live Oaks) with an enhanced standard, while still identifying general tree canopy preservation requirements for all development.

The Amendment would designate certain trees as a Conservation area. The Comprehensive Plan identifies certain environmental features (e.g., wetlands and significant geological features) as Conservation areas and affords them the significant protection. This protection includes retention of the feature and protection from future development. Designation as a Conservation area will ensure that, like other important natural features, Champion and Landmark Live Oaks will be protected. Finally, the definition of Champion Tree is proposed for update.

The Open Space changes included in the amendment recognize that protection of trees as a Conservation area will need to function differently than for other Conservation areas. The ULDC will

identify specific tools for protection of Champion Trees and Landmark Live Oaks. Additionally, the changes provided for somewhat more flexibility in designation of Open Space by allowing the designation of Champion Trees and Landmark Live Oaks to count towards a development's required Open Space wherever they may be located.

### **COMPREHENSIVE PLAN CONSISTENCY**

The proposed Comprehensive Plan amendment is internally consistent with the adopted Comprehensive Plan and specifically with the following goals, objectives, and policies. In the following section, the applicable Comprehensive Plan policies are shown in italics followed by a discussion of how the proposed amendment is consistent with the Comprehensive Plan.

#### **Future Land Use Element**

***Policy 1.2.1.2** Landscapes, buffers, natural areas or transitional development practices shall be utilized in site planning to lessen impacts and integrate development along the edges of different land use categories, screen undesirable views, preserve tree canopy and vegetation in accordance with the Conservation and Open Space Element, and facilitate the safe movement of traffic and pedestrians in vehicle use areas. Such practices may take the form of any combination of the following*

- (a) undisturbed natural areas of non-invasive trees and plants;*
- (b) landscaped open spaces with canopy trees and under-story trees and plants;*
- (c) physical elements that do not impede the interconnectivity of pedestrian, bicycle, and automobile facilities, such as landscaped screens, walls, or fences; or*
- (d) development practices to use massing, scale of structures, design, and transitions of intensity of uses to provide for building types, building sizes, and activities that are similar to or compatible with the character of the surrounding neighborhood and community.*

The proposed Amendment provides for the preservation of tree canopy. Specific regulations about how these Conservation areas can be used will be detailed in the ULDC.

#### **Conservation and Open Space**

***Policy 5.4.2** New development shall conserve existing trees and native vegetation by use of sound arboricultural and horticultural practices that provide for the protection and long-term survival of the vegetation, as part of an overall strategy to achieve landscape, habitat preservation, and open space requirements. Conservation may entail grading restrictions, vegetation clustering, protective buffers, and density and intensity limitations, consideration of alternative layouts of permitted uses, and similar techniques that provide for the long-term survival of vegetation.*

***Policy 5.4.3** The County shall protect trees according to a species specific hierarchy. Trees shall receive priority for protection based on species, in conjunction with other features including size, age, condition, historic association, and uniqueness. Removal or damage of champion trees shall be prohibited, and removal or damage of designated specimen trees shall be avoided, or mitigated if*

*removal or damage cannot be avoided. Specific protections shall be provided in the land development regulations.*

The proposed Amendment provides additional protection for Champion Trees and Landmark Live Oaks by designating them as Conservation areas. These additional protections are consistent with the idea of a hierarchy of tree canopy preservation. Further, their inclusion as Conservation areas requires them to be included in designated Open Space areas. Specific standards for protections will be detailed in the ULDC.

#### Energy

***Policy 3.2.2*** *The County shall protect and seek to increase tree canopy in the Urban Cluster.*

The proposed Amendment would offer additional protections to Champion Trees and Landmark Live Oaks.

#### **EFFECT OF AMENDMENT ON AFFORDABLE HOUSING**

The proposed Comprehensive Plan amendment is intended to provide additional resource protection, and to provide additional flexibility in the designation of Open Space for new development. Alachua County's Comprehensive Plan and land development regulations are based on the concept of gross residential density and allow for flexibility in lot sizes and residential development types. It is not anticipated that this amendment will change the affordability of housing in Alachua County.

#### **STAFF RECOMMENDATION**

Staff recommends **adoption** of proposed Comprehensive Plan amendment Z25-000006 as shown in Exhibit 1 with the following basis:

The proposed amendment is internally consistent with the Alachua County Comprehensive Plan, and specifically the following goals, objectives and policies as discussed in the previous section of this report.

## Exhibit 1 – Proposed Text Amendment to Alachua County Comprehensive Plan

Underlined text is proposed to be added ~~Struck through~~ text is proposed for deletion.  
Regular text is currently adopted language.

### Conservation and Open Space Element

#### OBJECTIVE 3.1 - CONSERVATION LAND USE CATEGORIES

A conservation land use category shall be established to recognize and protect natural resources within privately owned lands in Alachua County utilizing appropriate regulatory, acquisition, and incentive mechanisms.

Policy 3.1.1 Conservation areas shall consist of natural resources that, because of their ecological value, uniqueness and particular sensitivity to development activities, require stringent protective measures to sustain their ecological integrity. These areas shall include:

- (a) Wetlands;
- (b) Surface waters;
- (c) 100-year floodplains;
- (d) Listed species habitat;
- (e) Significant geologic features; ~~and~~
- (f) Strategic ecosystems; and
- (g) Champion trees and Landmark Live Oaks

#### Objective 4.11 – CHAMPION TREES AND LANDMARK LIVE OAKS

Protect and conserve Champion trees and Landmark Live Oaks, as determined in the land development regulations, to support biological systems, provide for ecological benefits to the developed environment and maximize the enjoyment of natural settings.

Policy 4.11.1 The land development regulations shall establish standards for designating Champion trees and Landmark Live Oaks, with a focus on large, long-lived, high-quality trees. Canopy areas associated with preserved trees may be counted towards a development's required Open Space consistent with COSE Policy 5.2.2.

Policy 4.11.2 Outside of the preservation of large, long-lived high-quality trees, the land development regulations should incentivize new development to preserve other existing tree canopy consistent with COSE Policies 5.4.2 and 5.4.3.

Policy 4.11.3 Preserved trees and tree canopy should be accessible to the public, where appropriate, to provide for enjoyment of the natural systems associated with them. The land development regulations shall establish standards for limited impacts within the tree canopy area.

## **OBJECTIVE 5.2 - OPEN SPACE**

To permanently preserve public Open Space within developments within Alachua County that protects natural resources, provides recreation, and augments the community network of bicycle and pedestrian infrastructure.

Policy 5.2.1 Open Space shall be provided on at least ten percent of every development, except as specified in Policy 5.2.5.

Policy 5.2.2 Open space is not intended to diminish other conservation requirements in this Element. The open space requirement in Policy 5.2.1 shall be fulfilled first with any of the conservation areas listed in Policy 3.1.1 followed by any significant habitat, if such exist on the site. All Conservation Areas or significant habitat within Open Space, with the exception of Champion Trees and Landmark Live Oaks, shall be maintained and remain undeveloped in perpetuity using a legal instrument that runs with the land and sets forth conditions and restrictions on use. The ULDC shall provide alternative options for protection of conservation resources based on quality, size, connectivity, and any other specified criteria. The boundaries of all Open Space shall be clearly delineated on plans, including recorded plats, and marked in the field to distinguish Open Space from developed areas.

Policy 5.2.3 After the requirements of Policy 5.2.2 have been met, additional Open Space shall minimize the fragmentation of open space areas and be one piece of contiguous land, at the periphery of the development to allow for connection to adjacent open space, with limited exceptions as defined in the land development code. The Open Space shall be located to best meet the following goals:

- (a) Augment required conservation areas
- (b) Provide accessible open space in the form of community gardens, community fields, greens, and pocket parks
- (c) Promote greater accessibility, resource protection, and connectivity by being contiguous or linked through multiuse paths to greenways, trails, public parks, and Open Space on adjoining parcels.

Policy 5.2.4 Open space in clustered rural residential subdivisions and Planned Developments with Transfers of Development Rights (PD-TDR) shall be preserved in accordance with policies under Objective 6.2 of the Future Land Use Element.

Policy 5.2.5 After meeting the requirements of Policy 5.2.2 to preserve any conservation resources listed in Policy 3.1.1 or significant habitat, the following types of development are not required to provide additional Open Space:

- (a) Nonresidential Development
- (b) Family Homestead Subdivisions

(c) ~~Rural Agriculture-Unpaved Residential Subdivisions with no more than 9 lots~~

(d) Towers, major utilities, and outdoor recreation

Developments not required to provide additional open space shall still provide pedestrian and bicycle connections between designated greenways when applicable.

Definitions:

**Champion Trees:** Those trees that have been identified by the Florida ~~Forest Service~~ Division of Forestry as being the largest of their species within the State of Florida or by American Forests the ~~American Forestry Association~~ as the largest of their species in the United States. ~~The current list of champion trees in Gainesville and Alachua County is on file in the office of codes enforcement. This list is subject to revision and will be updated yearly.~~