



# **Z25-00009 – Amendment to Trees & Native Vegetation (Art. II, Ch. 406) and Open Space (Art. V, Ch. 407)**

## **Unified Land Development Code Adoption Hearing**

June 24, 2025

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# Summary of Proposed Changes

- Exemption for existing PD's and PDP's
- Landmark Live Oaks – LO's greater than 45-inches and rate 4 and above
- BoCC approval required for removal of Landmark Live Oaks
- Clarified Definitions
- Updated Hierarchy to prioritize trees over CMA's
- Codified tree rating system, and associated mitigation
- Amend Open Space to remove location criteria
- Allow of some impacts to driplines without requiring mitigation
- 50% mitigation for affordable housing developments per stakeholder input



# April 22, 2025 Request to Advertise Hearing

- Stakeholders requested reduced mitigation for affordable housing developments
  - See Sec. 406.15(a)(7.) **For developments that are guaranteed to include 10 percent or more of the housing units which are affordable for 30 years to households at or below 80 percent of the Household Median Income, mitigation rates are 50 percent of the required replacement rates.**
- Board asked about pavers as alternative to pedestrian facilities in Sec. 406.14(d)(5) which allows elevated boardwalks in root plate
  - Staff feels elevated structures are better for ADA accessibility
- Stakeholders requested no mitigation for abundant species
  - Sec. 406.15(a)(5) only requires 1 for 1 replacement for abundant > 20", and >30" for Laurel & Water Oaks – no change proposed



# Applicability for Existing Approvals

## 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).**



# Updated Definitions

Sec. 406.11(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: Laurel Oaks; Water Oaks; Loblolly pine; Slash pine; Pecan; and Sweetgum.

(3) *Tree, champion*: Those trees that have been identified by the Florida Forest Service as 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.



# Updated Definitions cont.

## *Sec. 406.11(b) cont.*

(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 water and laurel oaks, 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.**

(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).



# Landmark Live Oak Removal Process

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

*(a) Landmark live oaks.* Live oak trees measuring 45 inches dbh or greater and having a rating of four (4) or more per the Tree Rating System in Section 406.16.1 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**.



# Landmark Live Oak Removal Process

Sec. 406.12.2(b) Tree removal permits for **residential lots**.

(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.





# Updated Hierarchy Sec. 406.14

*(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



# Open Space Amendments

## Sec. 407.54. Open space areas.

(a) When land development involves a parcel that contains regulated historic and natural resources ~~conservation management areas~~, the open space requirement shall first be fulfilled with these areas, ~~which shall be protected in accordance with Chapter 406, Article XVII.~~

(b) After the requirements of Subsection (a) above have been met, ~~the~~ any additional required open space shall be located to minimize the fragmentation of a development project's open space areas ~~be one piece of contiguous land, at the periphery of the development to allow for connection to adjacent open space, except as specified in Section 407.55.~~ Open space designated per this Section shall have an average width of no less than 50 feet and shall be located within the development in a location that best meets the following goals:

(1) ~~Augments conservation management areas~~ protected regulated natural and historic resources ~~or open space on adjoining parcels.~~

(2) Promotes preservation of other tree canopy to meet the requirements of Article II, Chapter 406

(3) Promotes connectivity to greenways, trails, public parks, and existing or potential open space on adjoining parcels.

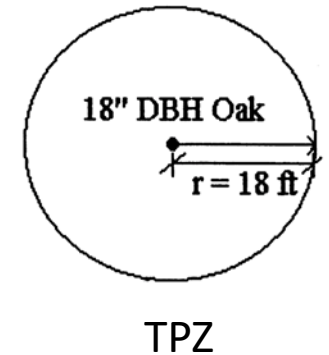
# Open Space Amendments

- **Sec. 407.55. Exceptions to open space areas.**
- The following criteria may be considered for deviation from the requirements of Subsection 407.54(b):
- ~~\_(a) Open space can be designated in two locations where proposed residential units within a development would otherwise be located further than one-half mile from a single designated open space location as measured in a straight line.~~
- ~~\_(b) There are no adjacent undeveloped lands or designated open space areas and open space is more appropriately located internal to the site.~~
- (c) There is an opportunity for the open space to link to a designated greenway.
- (d) Open space in cottage neighborhoods shall be provided per Section 407.155.
- (e) Mixed Use TND/TODs approved per Chapter 407 Article VII that have a minimum density of six units per acre may have open space(s) in multiple locations so long as the minimum width of any individual space is not less than 25 feet and that all designated open space conforms with the uses in Section 407.56.
- (f) Notwithstanding the requirements in Subsection 407.54(b), developments with a valid preliminary development plan or planned development that identifies open space and was approved prior to ~~March 10, 2020~~ **XXXX 2025** may provide open space consistent with the approved preliminary development plan or planned development.

# Allowed Impacts: Required % Trees v. Extra Trees

## *Sec. 406.14 (d) Tree Protection Standards.*

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



# Allowed Impacts: Required % Trees v. Extra Trees

## *Sec. 406.14 (d) Tree Protection Standards.*

(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 406.13.1 is required. In no case can trees that require a TPZ be impacted beyond 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.



# Allowed Impacts: Required Trees v. Extra Trees

## *Sec. 406.14 (d) Tree Protection Standards.*

(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.





# Tree removal permits Sec. 406.16.2

## *(b) Residential Lots.*

**(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.

(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



# Other Amendments

- Tree Rating Table 406.16.1 – 5 categories, rating 3 and above require full mitigation
- Option to inspect sites without a tree survey - Sec. 406.14(e)(2.)(a)
- Exemptions for Rural Subdivision <9 lots and FHS – Sec. 406.13(d)
- Added a Code Enforcement Penalty - Sec. 406.16.3
- Wetland impact for SF Notice Requirements – Table 402.12.1



# Public Outreach

- Email list of interested citizens and Stakeholders
- Builder's Association of North Central Florida (BANCf) - March 27<sup>th</sup>  
Workshop with Stakeholders (consultants and developers)
- Environmental Protection Advisory Committee (EPAC) – April 1<sup>st</sup>
- NE FL Chapter of the Association of Environmental Professionals (NEFAEP) - April 9<sup>th</sup>

# Staff Recommendation

1. Convene as the Land Development Regulation Commission and find the amendments consistent with the Alachua County Comprehensive Plan; and
2. Reconvene as the BoCC and approve the ordinance amending the Unified Land Development Code and authorize the Chair's signature.
  - Chapter 406, Article II (Trees and Native Vegetation);
  - Chapter 407, Article V (Open Space);
  - Sec. 401.02 Powers and duties;
  - Sec. 402.12 Types of Public Notice; and Chapter 410 Definitions.