

**CDC SPECIAL MEETING
January 27 Draft Minutes**

CALL TO ORDER

Chair Carter called the meeting to order at 1:05 PM.

ROLL CALL

Present 2 – Commissioners Carter and Wells present. Commissioner Warren was also in attendance.

ADOPTION OF THE AGENDA

The Community Development Committee adopted the agenda as presented.

DISCUSSION OF PENDING REFERRALS

The minutes are a summary of the meeting and are not verbatim discussion. A copy of the meeting recording will be provided upon request.

150167—Review of Tree Ordinance (B)

Commissioner Carter announced that the objectives of this special meeting were to hear from citizens, businesspeople, and staff about their experiences with the current tree ordinance, to talk about possible “carrots” that could be offered to encourage preservation of trees instead of penalties, and to talk about the tree mitigation fund and how to use it.

Director of the Parks, Recreation and Cultural Affairs department, Steve Phillips, provided a history of the development of the ordinance and introduced consultants from Perkins + Will, Jeff Williams and Micah Lipscomb. Perkins + Will advised the City regarding amendments to the previous ordinance a few years ago. They stated that today they were here to listen. Mr. Lipscomb provided a summary of ordinance issues that he had gleaned from reading meeting minutes and talking to staff and Commissioners. The four points of concern are 1) Economic Hardship of Mitigation, 2) Equity of Mitigation Requirements, 3) Use of mitigation funds, and 4) Incentives for tree preservation. An emphasis of the discussion is how to keep Gainesville’s full tree canopy while accommodating development in the community. Mr. Lipscomb then opened the floor to comments and questions from the attendees. What follows is a rough list of those comments and the names of the people who made them.

Jeff Knee: The mitigation fun could be used to buy another variety of trees, preferably some deciduous trees instead of evergreens. It could also be used for prescribed fires to clean out underbrush.

Sean McDermott, Assistant City Attorney, reviewed the current limits of the mitigation funds uses.

Jason Smith: A massive amount of development has led to the sudden build-up of the fund. Too many trees have been lost.

Bob Simons: Use the fund to purchase conservation lands for trees.

John Fleming: Use the fund to cover the maintenance costs of parks and right-of-way, so trees can be seen and enjoyed.

Meg Niederhofer: Money should not be used for maintenance. The City is obligated to pay for park maintenance from the general fund. She would prefer not to lose the trees than to have the fund built-up.

Don Hall: Dead trees are important for wildlife habitat.

Karen Garren: The ordinance should require developers to maintain a certain percentage of the number of trees on a parcel.

Earline Luhrman, Urban Forestry Inspector, responded to Mr. Fleming's comment by explaining that the City currently maintains trees for public safety.

Stefan Broadus, Public Works Engineer Utility Designer: The City also maintains trees around streetlights.

John Fleming: The City is restricted from planting trees on private property, even if the owner agrees to allow it and to maintain the trees.

Warren Nielsen: In the past, the City could plant trees on private parcels, and did so. He also recommended a tree inventory be taken, as it has in the past, using volunteers.

Jeff Knee: City should work with the County and State to replace trees that are in their right-of-way, but still in the city.

Earline Luhrman explained that we then have to maintain those trees.

Donald Shepherd: GRU isn't respectful of the tree ordinance, and they butcher trees around the city.

Elisabeth Manley: Be mindful that all projects are required to pay mitigation. There has been a positive response to the ordinance in that landscape architects are being brought in much earlier on development projects and nurseries are responding to the tree list.

Karen Arrington: So many trees in the city are not maintained properly and are butchered, causing many trees to get sick and die.

John Fleming: Commercial mitigation fees should be the same as residential fees.

Joe Wolf: The ordinance was written using a valuation based on a national standard.

Jeff Knee: Does the County have a similar penalty system to the City's?

Steve Kabat, Alachua County Arborist: The City's fees are more expensive because of the appraised value of city land.

Amber Mathis, City Horticulturalist: The impact of commercial vs. residential development should be taken into account when determining mitigation fees.

Meg Niederhofer: Gave the example that utility rates are different between commercial and residential accounts too. The comparison is not apples to apples.

Joe Wolf: There are also different restrictions based on land use and zoning.

Earline Lührman: The ordinance is working. Once people know what their mitigation will be for a proposed design, they often go back to the drawing board to make valuable trees a focus in their plans instead of just cutting them down and facing a fine.

Jason Smith: The preservation of a site is not easy.

John Fleming: A repercussion of the ordinance is that some developers immediately cut down any trees on a parcel that are not large enough to be regulated, even though they don't know what they will be doing with the land, just to avoid fees when those trees grow. Sellers of single-family homes that are going to be sold for commercial purposes will also take down larger trees, which may look like a liability to potential buyers.

Commissioner Carter asked for suggestions of incentives to preserve trees with development.

Citizen: The ordinance might require prescriptive measures such as requiring a developer to hire an arborist for so many years to make sure the trees stay alive.

Karen Arrington: Developers should be encouraged to use pervious pavement to help get water to root systems.

Tricia Peddicord: Nutrient delivery systems can also help trees get what they need even through pavement.

Joe Wolf: Perhaps look at saving pods of trees, the "next generation" of trees, instead of trying to keep one heritage tree alive through development.

Jason Smith: Incentivize diversity.

Meg Niederhofer: Mitigation funds could be spent on a green roof.

Elisabeth Manley: Create an incentive to upsize the trees that are planted—plant one larger tree instead of two small ones.

Steve Kabat: The County has not been successful at incentivizing upsizing.

John Fleming: Larger (eg, 100 gal) trees are more likely to survive.

Elisabeth Manley: The cost of a 65- or 100-gal tree vs. a 30-gal tree vs. the mitigation fee does not make it worthwhile to upsize. We need to create a benefit to encourage upsizing.

Ewan Thompson: Water and laurel oaks should not be penalized at the same value as “good” trees.

Earline Luhrman: Incentivize the preservation of small, high-quality trees on land when cutting down less-desireable trees.

Jason Smith: Provide a tax incentive to save mature trees?

Tricia Peddicord: Provide incentives for larger shade trees.

Citizen: Provide an incentive for transplanting good trees.

Bob Simons: Transplanting is expensive.

Mark Siburt, City Arborist: Use the tree appraised value amount to go toward saving another tree or in some way going to other benefits on the property.

Jeff Knee: Create a lottery system where citizens who could not afford to have a “junk” tree removed could have a chance to have the tree taken down and have it paid out of the mitigation fund.

Elisabeth Manley: Discouraged the idea of increasing penalties.

Kimberly Buchholz: Encourages diversity, especially with flowering trees.

Amber Mathis: The 3-person Urban Forestry team members already have full-time jobs without having to manage the mitigation funds.

Meg Niederhofer: Add a Program Coordinator to Urban Forestry division to focus on the mitigation fund and to make sure developers follow through.

Charlie Pedersen: Provide an incentive to get site plans delivered earlier in the process.

Steve Kabat: The County has noticed that local engineers are advising clients about the mitigation fee up front. Developers are working around the trees.

Commissioner Wells: Do we have adequate locations available for planting trees?

Linda Demetropolis, Nature Operations Manager: We should do a tree inventory studies every five years. The City is working with UF now to do an inventory and will then build a Tree Master Plan. Mitigation funds may not be used for these purposes.

Stefan Broadus: There is not much funding in roadway project budgets for planting.

Karen Arrington: In NYC and San Francisco, volunteers are used to do the tree inventory. Is there an app we could use to notify the City of possible locations for trees?

Kim Harris, City Manager's Office: Citizens could submit suggestions through the 311GNV app.

Commissioner Carter wrapped up the meeting by thanking all participants, and Perkins + Will, and stating that there would be future meetings of this nature. Citizens and stakeholders were encouraged to email additional suggestions and comments to Perkins + Will at Micah.Lipscomb@perkinswill.com.

Member Comments

None

Citizen Comments

None

NEXT MEETING

Another special meeting about the Tree Ordinance will be called once staff and the consultants have reviewed the results of this meeting with the CDC members.

ADJOURNMENT

The meeting was adjourned at 3:08 PM.