



Mitigation Requirements

The City of Gainesville Tree Ordinance

Community Development Committee
Special Meeting

January 27, 2016

Purpose of Meeting

- Follow up from the October 14, 2015 Community Development Committee meeting
- Requested follow up items:
 - 1) Mitigation differences between commercial and residential properties regarding tree removals
 - 2) Uses of the Tree Mitigation Fund

Mitigation for Developments

Category	Mitigation
High quality heritage trees, in fair or better condition	Mitigation payment based on tree appraised value, limited to three trees per acre averaged over the entire site. If more than three trees per acre in this category are located on the site then the trees with the highest tree appraised value throughout the site shall be used to calculate the payment. High quality heritage trees proposed for removal in excess of the overall average of three per acre shall require mitigation trees on an inch-for-inch on a diameter basis.
Heritage trees of other than high quality species, in fair or better condition	Mitigation trees on an inch-for-inch diameter basis.
Any heritage trees in less than fair or better condition; and any other regulated tree	Mitigation trees consisting of two trees of high quality shade species established for each tree removed.

Mitigation for Commercial Properties

Category	Mitigation
High quality heritage trees, in fair or better condition.	Mitigation payment based on tree appraised value, and mitigation trees consisting of a minimum of two shade trees of high quality species planted on site for each tree removed.
Heritage trees of other than high quality species, in fair or better condition; and high quality heritage trees, in fair or better condition, which are causing structural problems to buildings or underground utilities.	Mitigation trees on an inch-for-inch diameter basis, with a minimum of two shade trees of high quality species planted on site for each tree removed.
Any heritage trees in less than fair or better condition; and any other regulated tree.	Mitigation trees consisting of two shade trees of high quality species planted on the site for each tree removed.

Mitigation for Residential – Single Family Zoning

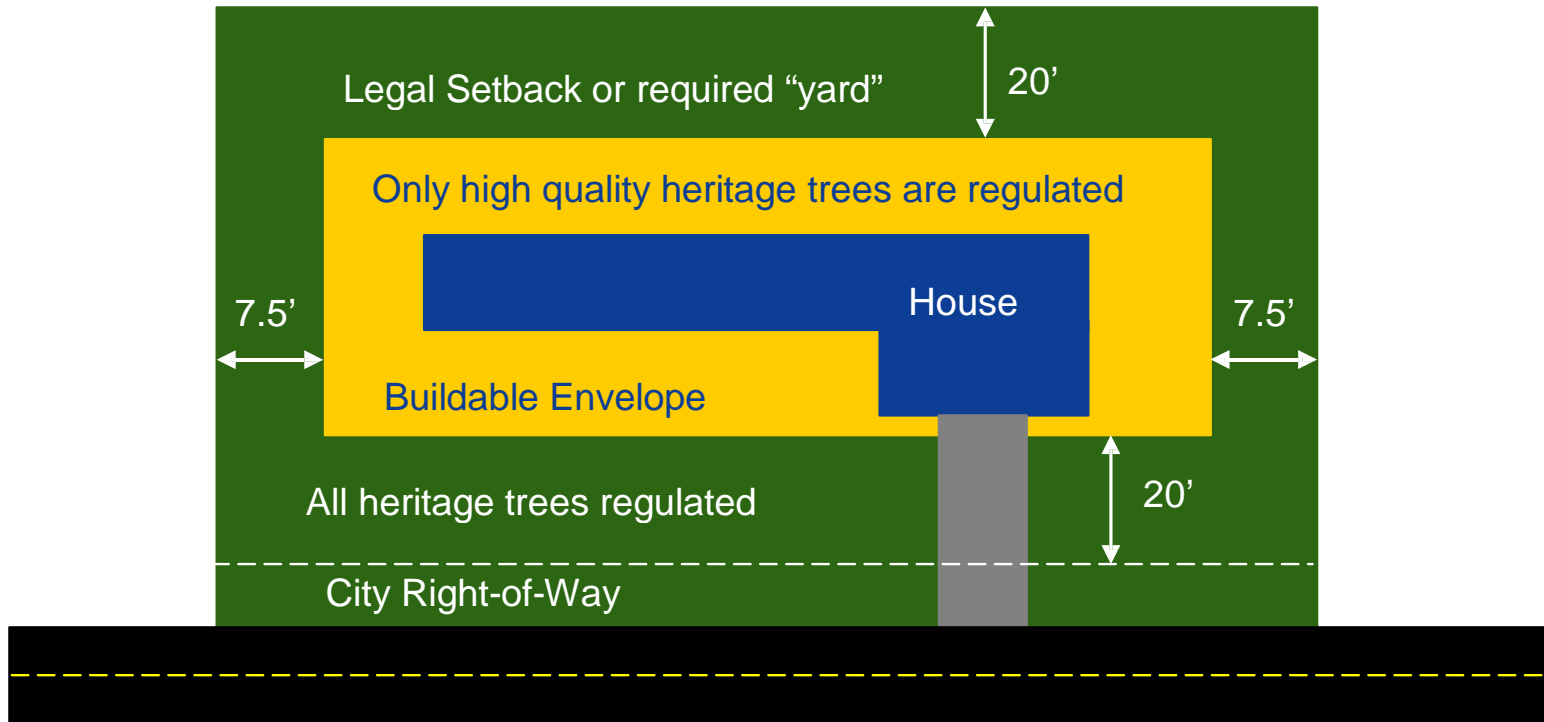
Properties in single-family residential zoning districts (only heritage trees are regulated):

Category	Mitigation
High quality heritage trees, in fair or better condition, wherever they are located on the property.	Mitigation trees on an inch-for-inch diameter basis, with a minimum of two shade trees of high quality species planted on site for each tree removed.
Heritage trees of other than high quality species and high quality heritage trees in less than fair or better condition, wherever they are located between the property lines and legal setbacks.	Mitigation trees consisting of two shade trees of high quality species planted on the site for each tree removed.

- Planned Developments with a single family use will be regulated as single family residential zoning for the purpose of tree removal and mitigation requirements.

Single Family Zoning

- RSF1, RSF2, RSF3, & RSF4



Examples

	Commercial	Residential (PD)	Residential (RSF1-4)
20" Live Oak (fair or better condition)	Tree Appraised Value = \$6,908; plus 2 high quality species	Inch for Inch = 10, 15-gallon shade trees	Inch for Inch = 10, 15-gallon shade trees
20" Live Oak (fair or better condition) causing structural damage	Inch for Inch = 10, 15-gallon shade trees	Inch for Inch = 10, 15-gallon shade trees	Inch for Inch = 10, 15-gallon shade trees
10" Live Oak (fair or better condition)	2:1 = 2, 15-gallon shade trees	Not regulated	Not regulated
20" Laurel Oak (less than fair or better condition)	2:1 = 2, 15-gallon shade trees	Not regulated	Not regulated
35" Laurel Oak (less than fair or better condition)	2:1 = 2, 15-gallon shade trees	Only regulated in the legal setback; 2:1 = 2, 15-gallon shade trees	Only regulated in the legal setback; 2:1 = 2, 15-gallon shade trees

Tree Mitigation Fund

- Sec. 30-254 (b) (2)
 - This fund may be used for new tree plantings associated with public improvement projects or for the preservation of trees through the purchase of conservation lands, but shall not be used for tree maintenance or toward the installation of new trees that would already be required for a development.

Tree Mitigation Fund Policy



Parks, Recreation and Cultural Affairs Department	No. 1.6.1a
POLICY	Issued: November 20, 2014
Subject: Use of Tree Mitigation Funds	Revised: 03-11-2015
Approval:  Steven R. Phillips, Director	

Approved by the Tree Advisory Board on February 9, 2015.

POLICY: This policy provides guidance as to the appropriate uses, intent, and mechanism for expenditure of funds from the City of Gainesville's Tree Mitigation Fund.

INTENT: The intent of the Tree Mitigation Fund is to augment the City's Urban Forestry Programs by funding projects that exceed the basic service levels for tree planting, routine pruning maintenance and hazard abatement, and removal of hazardous trees that were funded by the City at the time the changes to the Land Development Code were adopted by the Gainesville City Commission in 2013. These changes allowed the removal of significant high quality Heritage trees from the Urban Forest in exchange for money that would then be used for enhancement projects only. The Tree Mitigation Fund was never intended to pay for the City's routine, basic urban forestry services.

PRACTICE:

The City of Gainesville's Parks, Recreation and Cultural Affairs Department receives mitigation funds resulting from the removal of trees, tree violations, and other tree related consequences. These funds are placed in the City's tree mitigation fund, a separate city fund that holds funds collected as tree mitigation. Section 30-254 (b)(2) of the City's Land Development Code provides guidance for the use of these funds. Specifically, the Code states that "This fund may be used for new tree plantings associated with public improvement projects or for the preservation of trees through the purchase of conservation lands, but shall not be used for tree maintenance or for the installation of new trees that are required for a development." This policy is intended to provide additional guidance and clarification for the use of the Tree Mitigation Funds. The City Manager or his designee approves the use of all Tree Mitigation project funds as recommended by staff.

PROCEDURE:

The following provides additional detail regarding appropriate uses, intent, and mechanism for expenditure of funds from the City of Gainesville's Tree Mitigation Fund.

1. **Tree Planting:** The City of Gainesville's Tree Mitigation Funds may be used to fund the following tree planting related activities.
 - a. Purchasing trees for planting on public lands.
 - b. Purchasing irrigation and/or irrigation supplies related to the establishment of new tree plantings on public land.
 - c. Purchase of mulch, staking materials, or other necessary supplies to ensure the proper installation and long-term survival of new tree plantings on public land.
 - d. Contractual services related to tree planting and establishment on public lands.
 - e. Funds shall not be used for tree maintenance or for the installation of new trees that are required for a development.
2. **Establishment of newly-planted trees:** The Tree Mitigation Funds may be used for establishment of newly-planted trees on public land for a period of no more than three (3) years. Funds shall not be used for tree maintenance or for the installation of new trees that are required for a development. Related establishment functions could include but are not limited to: watering, fertilizing, mulching, and pruning.
3. **Land Acquisition:** The Tree Mitigation Funds may be used for the following land acquisition activities:
 - a. Acquisition of land to preserve high quality trees, heritage tree(s), or high quality natural habitat for public parks and preserves.
 - b. To meet the recommendations of PRCA Master Plan to acquire neighborhood parks as long as a park preserves high quality shade trees or heritage trees.
4. **Habitat Restoration Projects:** The Tree Mitigation Funds may be used for City nature park habitat restoration projects provided the projects include planting of new trees of species native to our region and that the projects have the recommendation of the Tree Advisory Board.
5. **Staffing:** The Tree Mitigation Funds may be used to fund City employees or interns to facilitate tree planting and establishment programs and projects funded with Tree Mitigation Fund.
6. **Tree Advisory Board Updates:** Each Tree Advisory Board meeting will include from staff a summary of expenditure and inputs to the Tree Mitigation Fund to date. The Tree Advisory Board will be appraised at an early point during the planning phases of proposed expenditure which will remove more than \$25,000 from the fund.

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Contact Information

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Questions?