



MEMORANDUM

To: Mr. Fred Murry, Assistant City Manager - City of Gainesville

Xc: Ms. Kimberly Harris, Executive Assistant Senior - City of Gainesville

From: John Fleming

Re: City of Gainesville Tree Mitigation Discussion

Date: July 17, 2016

Dear Fred:

As requested, here are a few discussion points/suggestions that we have in regards to the current City of Gainesville Tree Ordinance:

Incentives for Tree Preservation

1. Setbacks Review various zoning districts and formulate standard reductions in setbacks (side, front, rear) based on preservation of a high quality heritage tree. These reductions need to be set in code and not part of the variance/waiver/special use permit process.
2. Storm water Reduction of storm water quantity treatment requirements, if a high quality heritage tree is retained, from current City of Gainesville standards to those of St. John Water Management District.
3. Lot Size Reduction in the minimum lot size requirements if a high quality heritage tree is retained.
4. Utilities If an existing high quality heritage tree that does not meet the required



utility separation requirements (from existing utilities) is retained, existing separation requirements would be waived.

Economic Hardship of Mitigation

Since the current tree mitigation code caps the mitigation to a maximum number of heritage trees per acre (3 per acre), it creates undo hardship on:

- a) parcels with existing large trees (versus open fields);
- b) smaller lots (the maximum mitigation cost is the same for 1.0 acres as it is for .01 acres);
- c) urban in-fill lots (which tend to be smaller in size, have existing heritage trees due to age of developed area, and high FAR/density allowances).

Additionally, it is easier to adjust development over a larger site (to avoid heritage trees) than it is on a small site where space for any development is limited. These factors, along with others, encourage urban sprawl rather than in-fill development. Thus, we would suggest:

1. **Benchmark** Review Orange County and/or City of Orlando tree mitigation requirements to explore possible options of varying tree mitigation costs depending on location within a site (more costly at the edges and less costly towards the center).
2. **Maximum** The maximum mitigation cost should never exceed ten percent (10%) of the established (property appraiser's value) value of the parcel or actual mitigation costs, whichever is less.
3. **Value** If heritage tree(s) are preserved on a site, which mitigation value (if they were removed) is a minimum of 10% of established value (property appraiser's value) of the parcel, then any other trees on site can be removed without requiring additional mitigation.
4. **Zoning** Explore possible options of varying tree mitigation costs depending on zoning density (CCD less costly than MU) to help encourage in-fill development.

Equity of Mitigation Requirements

Part of the heartache from the development community is that the mitigation costs are seen simply as a fine and do not promote/encourage further high-quality development or have any traceable accountability. If the City wishes to encourage good, high-quality development (and developers), then the City should allow mitigation costs to be offset by other improvements that truly help offset the tree loss.

1. Allow developers to directly offset mitigation costs by installing green roofs within their projects (helps offset loss of vegetation, storm water quantity/quality, heat island effect, etc.).
2. Allow developers to offset mitigation costs (proportionately) when installing pervious concrete, concrete pavers, or concrete - instead of using asphalt (reduction in storm water

and heat island effect).

3. Allow developers to directly offset mitigation costs by installing larger diameter trees within their developments (higher rate of survival from vandalism/accidents) and further offsets for installing live oaks in areas appropriate for their growth.
4. Are there other items that the City would like to encourage within developments (LEED certification, public/private parks, pocket parks/green space, etc.)?