

PROPOSED CHANGES TO THE GAINESVILLE CODE OF ORDINANCES

1. (Tree survey requirements)

30-160. [Development plan review - Submittal requirements]

(b) *Concept plans.*

(2)d. Location of major tree ~~stands~~ groupings and ~~other large~~ Heritage trees as defined in section 30-258; ~~may~~ shall be outlined on aerial tax maps.

(d) *Preliminary development plan.* Each preliminary development plan shall include the following:

(4) Tree survey showing the location, diameter, genus, and species of all trees larger than hardwoods eight (8) inches plus and except slash and loblolly pines, which are regulated when larger than twelve (12) inches plus. Measurements are made at four and one-half (4 1/2) feet from base of trunk.

(e) *Final development plan*

(1) A landscape plan and tree survey in accordance with Article VIII.

30-183. Design plat requirements and approval.

(e) *Specifications*

(2)i. The location, and ~~types~~ identification to genus and species of all major tree groupings and native Heritage trees of all species on the subdivision tract, a designation of which tree groupings are proposed to be removed, and ~~an particular~~ identification to genus and species of any regulated tree as ~~described~~ defined in article VIII section 30-254, located within 15 feet of any proposed right-of-way or required buffer;

2. (Purposes of Article VIII)

30-250(b)28. To prevent adverse impacts to the water quality of ~~impacts to~~ creeks, lakes, wetlands, floodplains, groundwater and uplands;

3. (Tree island dimensions; walkways not to encroach upon required area)

30-251(2)a. Any required landscape area containing a tree shall have a minimum area of ~~one hundred forty (140)~~ square feet for large trees and ninety (90) square feet for medium trees as listed under island size in the Gainesville Tree List. The length of any side (back-of-curb to back-of-curb) shall be at least nine (9) feet for a large tree, and six (6) feet for a medium tree. If the smaller of these islands is used, the applicant shall demonstrate that a sufficient number of such islands and trees are provided so the shading requirement of subsection 30-252(a) is met. Pedestrian walkways shall not reduce the minimum area or side length requirements for any landscape area containing a tree.

4. (Retention/detention basins – appropriate landscaping)

30-251(2)b. Landscaping of stormwater management areas shall conform to all requirements of this chapter and the public works department design manual. Retention/detention areas shall be

landscaped with trees, shrubs, and native perennials appropriate to the function as a wet or dry basin. If the landscaped area is also designed to meet on-site stormwater management requirements, one ~~(1)~~ of the following conditions must be met:

1. The area must be designed to provide an aesthetic focal point, such as a lake, creek or other water feature; to preserve a tree grouping; or to utilize the existing terrain and/or geological features of the site.
2. The area must be preserved in such a manner as to maintain an existing wetland function or to preserve or establish...
3. The design of the retention basin shall meet the following criteria:
 - i. varying side slopes...
 - ii. irregular shape...no parallel sides...
 - iii. ~~The basin shall have significant landscaping. (i.e. Twenty-five (25) percent or more of the basin areas including shoulders shall be landscaped and shall include at least 1 shade tree for every 35 linear feet, or part thereof, of basin perimeter); and~~
 - iv. The landscaping for the basin shall be integrated with the entire landscape plan.
4. The retention/detention area utilizes wetland and aquatic vegetation compatible with the cleansing of stormwater runoff.

5. (Proposed irrigation system requirements)

30-251(2)c. An irrigation system, or readily available water supply within a distance of ~~one hundred (100)~~ feet, shall be supplied for all landscaped areas. An automatic irrigation system with micro-jet fixtures installed at the base of each required tree shall be provided for developments or redevelopments of existing property if the total area of impervious surfaces devoted to vehicular uses exceeds 22,500 square feet. ~~Such~~ The irrigation system shall promote water conservation by such methods as drip irrigation and/or efficient sprinkler zoning, and shall be designed to minimize the watering of impervious surfaces. ~~If a landscaped area consists primarily of existing native or drought tolerant vegetation, the city manager or designee may wave this requirement. The irrigation system shall be designed to minimize the watering of impervious surfaces.~~

6. (Inclusion of a mandatory pre-installation meeting)

30-251(2)f. All required trees shall be selected from the Gainesville Tree List. Tree species not appearing on the Gainesville Tree List may be planted only with prior approval of the City Arborist. In order to encourage plant diversity, no more than ~~fifty (50)~~ percent of the selected canopy trees shall be ~~of from~~ the same genus. The applicant or landscape contractor shall schedule an on-site meeting with the City Arborist prior to the installation of any trees or shrubs to ensure infrastructural compatibility of landscape design and compliance with Code landscaping requirements.

7. (Amendments to minimum submittal criteria).

30-251(6) *Minimum submittal criteria.* All landscape plans shall be drawn to scale and have a north arrow, and accurately depict all buildings, pavement, on-site facilities, existing and

proposed overhead and underground utilities, and lighting systems. The landscape drawing or accompanying development plan must give the permitted use of adjacent parcels and the total square footage of all pavement on-site. Stormwater basins shall be designated as wet or dry. A plant schedule shall be provided showing the botanical name, size, spacing and number of all required plant materials. Architectural symbols depicting trees to be installed shall not exceed one-fourth the twenty-year crown diameter estimate provided in the Gainesville Tree List. Any native tree or shrub may be substituted for the identified plant, provided that the shrub is adaptable to the amount of sun/shade, wet/dry and size conditions where it will be planted, and insofar as the provisions for diversity, shading, and/or screening described in this article are met. Plant material shown in addition to the required elements of the landscape plan ~~must~~ may be labeled as optional and shall not be subject to inspection.

8. (Removal of Invasive exotics)

30-251(7)g. The installation of the following invasive nonnative species is prohibited.

INVASIVE, NONNATIVE
PLANT SPECIES

<i>Common name</i>	<i>Scientific Name</i>
Elephant’s ears	Xanthosoma sagittifolium
<u>Glossy privet</u>	<u>Ligustrum lucidum</u>
Henon bamboo	P. nigra cv. “Henon”

h. For all new development, redevelopment of existing property, or change of use or occupancy, the applicant shall remove all invasive nonnative plant species from the property prior to issuance of the certificate of occupancy or use;

Sec. 30-254(6)

d. All invasive nonnative tree species listed in subsection 30-251(7)(g) shall be removed from the property.

9. (50% shading requirement for vehicular use areas)

30-252. Landscaping requirements for vehicular use areas.

(a) *Generally.* Vehicular use areas shall be planted with trees sufficient to shade 50 percent of the total impervious surface within vehicular use areas within twenty years. This section provides ~~two (2)~~ landscaping methods which are intended to meet the shading requirement by setting minimum requirements for the landscaping of vehicular use areas. Method 1 addresses shading by specifying landscape placement throughout and around the vehicular use area. Method 2 provides flexibility in the design of vehicular use area landscaping in order to accommodate unique site considerations. Method 1 shall be used for the purpose of calculating landscaping requirements for excess parking as regulated in article IX.

~~Strikethrough~~ = proposed deletion; Underline = proposed change

10. (Rows of parking to be enclosed by landscape islands containing a shade tree)

30-252(b)(2)a. The placement of landscaped areas throughout the interior of the paved area shall average ~~one~~ (1) landscaped area for each ~~ten~~ (10) parking spaces. At no time shall a row of parking have landscape areas greater than ~~one hundred thirty five~~ (135) feet apart or closer than ~~thirty five~~ (35) feet. Landscaped areas containing at least 1 shade tree shall enclose all groups of parking spaces.

11. (Revised creek setback distances to protect creek banks at high water)

Sec. 30-254)(1)(6)

b. No tree shall be removed and no logging road shall be constructed:

1. Within ~~thirty five~~ (35) feet of the ~~centerline~~ break in slope at the top of the bank of any creek.

Sec. 30-302

- a. Except as otherwise provided, there shall be no development in, on, or over a surface water or wetland, or within 35 feet of the landward extent of a regulated lake or wetland, or within 35 feet of the ~~centerline~~ break in slope at the top of the bank of any regulated creek as referred to in section 30-301.
- b. Between 35 and 150 feet from the ~~centerline~~ break in slope at the top of the bank of any regulated creek, it is a rebuttable presumption that development is detrimental to the regulated creek and is therefore prohibited unless approval is granted as set forth in subsection (c).

12. (Revised tree protection and barricade specifications)

Sec. 30-255. Tree preservation during development and construction.

(a) *Barriers required.* ~~During construction~~ Prior to clearing, demolition, or other construction activities, protective barriers shall be ~~placed~~ constructed to prevent the destruction or damaging of all trees and vegetation not designated for removal that are located within 15 feet of any construction activity or storage of equipment and materials. Trees destroyed or receiving major damage shall be replaced before issuance of a certificate of occupancy or use, if such a certificate is required, unless approval for their removal has been granted under permit. The city manager or designee shall determine ~~what~~ which trees, if any, require protection or replacement. To avoid conflicts between barrier placements and demolition and construction activities, barriers shall be drawn to scale on the demolition, grading and paving sheets of the development plan submitted for staff review and board approval.

(b) *Barrier zones.* All trees not designated for removal may be required by the terms of the permit to be protected by barrier zones erected prior to construction of any structures, road, utility service or other improvements, and may be required by the terms of the permit to comply with the following if determined to be necessary by the city manager or designee:

- (1) ~~Such~~ Protective barriers shall be plainly visible and shall create a continuous boundary around trees or vegetation clusters in order to prevent encroachment by machinery, vehicles or the storage of stored materials. Barricades must be at least 3 feet tall and may be constructed of

either wooden corner posts at least 2 X 4 inches buried at least 1 foot deep, with at least 2 courses of wooden side slats at least 1 X 4 inches with colored flagging attached, or 7/8-inch (#7) iron rebar or 1-inch angle iron corner posts with brightly colored mesh construction fencing attached. Protective posts of nominal two (2) inches by four (4) inches or larger wooden posts, two (2) inches outer diameter or larger pipe, or other post material of equivalent size and strength shall be implanted deep enough in the ground to be stable with at least three (3) feet of the post visible above the ground.

(2) Barriers shall be placed as follows:

- a. At or outside the dripline for all Heritage and Champion trees and all regulated pine and palm trees.
- b. At a minimum of two-thirds the dripline for all other regulated species.

(3) ~~In cases where~~ If complying with the above placement of barriers is found to unduly restrict development of the property, the city manager or designee may approve alternative barrier placements or methods of protection. Protective barriers may not be removed or relocated without such approval.

(4) No changes to this paragraph

(5) Protective barriers shall remain in place and intact until such time as landscape operations or construction needs dictate a temporary removal that will not harm the tree.

(6) No changes to this paragraph

(7) No building materials, machinery or harmful chemicals shall be placed within protective barriers defined in subsection (b)(2) of this section, except short-duration placements of clean fill soil that will not harm the tree. Such short-duration placements shall not exceed ~~thirty~~ (30) days. The original soil grade that existed within the protected areas prior to the placement of such fill shall be restored.

(8) No changes to this paragraph

(c) No changes to this paragraph

(d) No proposed changes.

13. (Heritage tree redesignation; Capitalize Heritage and Champion tree references in Code)

30-258. Heritage trees.

(a) ~~The following species are heritage trees:~~ Heritage trees are all native tree species except water and laurel oaks 20 inches in diameter or greater, and all nonnative trees and water and laurel oaks 30 inches in diameter or greater.

(b) No change

(c) The removal, relocation or replacement of ~~h~~Heritage trees in conjunction with....., the removal, relocation or replacement of ~~h~~Heritage trees shall be by special exemption.....No

permit shall be required for the removal of ~~h~~Heritage trees on property with single-family zoning.....Any permission given for the removal of any ~~h~~Heritage tree that is healthy and is not causing structural damage,.....

30-251(2)h.1. Lots within single-family zoning districts.....pertaining to ~~e~~Champion trees.....pertaining to ~~h~~Heritage trees.....

30-254 (a)(2) No ~~h~~Heritage or ~~e~~Champion tree as defined in this article may be removed.....

(g) Standards for tree relocation or replacement. As a condition of the granting of a permit, the applicant....~~Two~~(2) trees will be replaced for every tree removed, except healthy ~~h~~Heritage trees. When healthy ~~h~~Heritage trees are removed, they will be replaced....

30-257. Champion trees.

(a).....The current list of ~~e~~Champion trees in the city and the county which...

(c) the removal, relocation or replacement of ~~e~~Champion trees in conjunction with.....

14. (Street trees in subdivisions)

30-261. Tree removal and planting of street trees in new subdivisions.

(a) no changes

(b) *Street trees.* ~~In addition, t~~The subdivider shall ~~be required to~~ plant street trees from the Gainesville Tree List within five feet of the right-of-way of each street constructed within the subdivision or parallel or adjacent to a public utility easement, whichever is appropriate. One such tree shall be planted for every ~~150~~ 50 linear feet of street right-of-way, on both sides of the street, except for gateway streets, which shall comply with 30-262. Where property on one side of the right-of-way is not owned by the subdivider, such trees shall be planted alternately on either side of the street. Such trees shall be no closer together than ~~120~~ 30 feet.

15. (Revision of gateway tree planting requirements)

30-262(a). *Generally.* The applicant shall ~~be required to provide~~ plant gateway trees adjacent to the right-of-way, from the Gainesville Tree List. Trees planted to meet this requirement shall be located on the applicant's property, and no closer than ~~five~~(5) feet, or farther than ~~ten~~(10) feet, from the right-of-way or public utility easement, or within the street median. One ~~(1)~~ tree shall be planted for every ~~fifty~~(50) 35 linear feet of right-of-way or street median. ~~For streets with a right of way less than eighty (80) feet, either one (1) tree for every fifty (50) linear feet or one (1) tree for every thirty five (35) linear feet shall be planted in accordance with the Gainesville Tree List. Large or medium shade trees shall be utilized in all areas outside of medians. Median trees shall be planted at least every fifty (50) linear feet and shall only use trees be selected from the "small or medium gateway tree" list. For installations adjacent to overhead utility lines, one~~ (1) small gateway tree for every ~~twenty five~~(25) linear feet shall be planted.....

16. (Installation standards – Nursery grade on invoicing)

30-265(a)1. All plants shall be Florida Nursery Grade Number 1 or better, healthy, disease-free and pest-free, and hardy for the North Florida region. Nursery invoices or labels must clearly specify that Grade Number 1 or better plants were purchased for installation.

17. (Trees and overhead utilities)

30-265(a)4. Lighting fixtures, power, cable television or telephone lines...shall be located and designed to provide adequate service in the presence of installed landscape materials when such landscape reaches maturity. For existing mature trees, reasonable efforts shall be made to install utility service without removing such trees. No shade tree that exceeds 40 feet tall at maturity shall be placed within 15 feet of any overhead utility. Fire hydrant connections....

30-330(a)

(4) *Lighting.* All parking facilities shall be lighted after dark throughout the hours ~~which~~ that they are in use by the public. Such lighting shall not exceed an intensity of five footcandles. Multiple family dwellings must provide parking area lighting sufficient to light the area for pedestrians entering and exiting the parking area. All nonresidential development must at a minimum meet the standards listed in the "IES Lighting Handbook: Recommended Maintained Illuminances for Open and Covered Parking Facilities" for pedestrian safety. Sources of light, including bulbs and tubes and all reflecting surfaces, shall be hooded or shielded so as not to create a nuisance across lot lines. Lighting shall not be in conflict with required trees. Transformer boxes or utility poles for security lighting shall not be located within parking lot landscape islands.

18. (Revised Buffer Requirements)

30-253 (Chart B. Buffer Type Matrix)

Buffer E:	Width ((feet)	Shade Tree	Understory Tree	Large Shrub	Small Shrub
Option Y	9	3	2	6	10
Option Z	15	2	2	5	6

Legend:

Option: Petitioner may choose width option. However, when commercial, mixed use, or industrial activities are adjacent to single-family, two-family, multifamily or mobile home uses, the reviewing agency may determine that, in addition to the trees and shrubs specified above, a wall is required to mitigate the effects of certain uses or to control access.

19. (Tree removal or relocation requirements)

30-254 (b) *Removal or relocation of regulated trees subject to board approval.* A separate tree removal permit will not be required in conjunction with developments requiring development plan approval by the appropriate board. Plans for tree removal or relocation will be considered and either approved or denied. However, the trees cannot be removed until after issuance of the building permits for the construction that requires the removal of the trees. Failure to obtain a permit before removing or relocating a regulated tree shall be subject to the measures for

enforcement and replacement specified in section 30-311, pertaining to violations, and the provisions of Article X of this chapter.

20. (Purposes of Article VIII)

30-250 (b). Objectives. The provisions of this article are intended:

- (40) To ensure adequate, safe, economic, reliable and environmentally sound water and wastewater utility services for the public: ~~and~~
- (41) To minimize conflicts between infrastructure and landscaping; and
- (41~~2~~) To promote economic development in a manner that will enhance the quality of life.