

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Meeting Agenda

April 14, 2021

4:00 PM

City Hall, Roberta Lisle Room (Room 16), and Virtual

## Tree Advisory Board

*Erick Smith (Chair)*  
*Marc Frank (Member)*  
*C. Elisabeth Manley (Member)*  
*Russell Adams (Member)*  
*Ryan Klein (Member)*  
*Elisabeth Staten (Student Seat)*

*If you have a disability and need an accommodation in order to participate in this meeting, please contact the Office of Equal Opportunity at (352) 334-5051 at least two business days in advance. TTY (Text Telephone Telecommunication Device) users please call 711 (Florida Relay Service). For Speech to Speech (STS) relay, please call 1-877-955-5334. For STS Spanish relay, please call 1-877-955-8773. For STS French Creole relay, please call 1-877-955-8707.*

**CALL TO ORDER****ROLL CALL - 4:00 PM****ADOPTION OF THE AGENDA****APPROVAL OF MINUTES**[201066.](#)**Approval of Minutes from the Tree Advisory Board Meeting of March 10, 2021 (B)****RECOMMENDATION**

*The Tree Advisory Board approve the minutes of March 10, 2021.*

[201066A\\_March\\_10\\_2021\\_Minutes\\_20210414.pdf](#)

**OLD BUSINESS**[201067.](#)**Discuss City of Gainesville Recommended Tree List (B)**

*Explanation: Presentation of recommended tree and shrub species to be included in a recommended tree list.*

*Fiscal Note: There is no fiscal impact associated with this item.*

**RECOMMENDATION**

*The Tree Advisory Board 1) hear presentation: and 2) make recommendations as appropriate.*

[201067A\\_Edible Grove Inventory \(3-11-21\)\\_20210414.pdf](#)

[201067B\\_Tree List Recommendations\\_20210414.pdf](#)

[201067C\\_Joe Wolf Plant List\\_20210414.pdf](#)

[200197.](#)**Discuss City of Gainesville Tree Ordinance Revisions (B)**

*Explanation: On 8/12/2020, suggested revisions to parts of the Land Development Code which pertain to tree regulations. The Board has decided to further explore.*

*On 9/9/2020, suggested revisions to parts of the Land Development Code which pertain to tree regulations. The Board decided to resume at a later date.*

*On 10/14/2020, Board has requested to continue discussion to reach a consensus on necessary Tree Code revisions.*

*Discuss City of Gainesville Tree Code Revisions via municode link.*

*Fiscal Note: There is no fiscal impact associated with this item.*

**RECOMMENDATION**

*The Tree Advisory Board 1) discuss code revisions: and 2) make recommendations as appropriate.*

Program Assistant Emily Nieves described the relevant documents before the board and provided a short summary of the previous meeting where ordinance revisions were proposed to the board. City Arborist Dave Conser spoke to the board regarding his vision for ordinance changes. Mr. Conser would like to see that the legal uses of the tree mitigation fund are extended to private property in the form of the purchase and installation of trees on private property. The program he envisions would require the owner to care for the tree post-installation and replace the tree if it dies. Member Manley spoke to the importance of defining private property if such a program were implemented and clearly defining the intent of the program if some types of private property are eligible for participation but not others. Member Frank expressed concern with maintaining accountability over the health of the trees with changes in property ownership. Mr. Conser spoke to his previous experience at the Florida Forest Service with cost-share grant programs, where participants in the program were required to return grant funds if the 10-year life span for the longleaf pines was breached, and that participants were required to inform prospective buyers of their properties that the contract that comes with the property. Member Manley asked about the intent of such a proposed program; Mr. Conser advised that it is unlikely that the amount of tree mitigation funds available could be used up by planting trees only on private property. Member Smith advised that the board has explored this concept before, and while he supports the concept in theory, the discussion resulted in the understanding that the tree mitigation funds are sourced from what are essentially impact fees. He explained that prior discussions with city attorneys indicated that using tree mitigation funds on private property would not be possible because as impact fees, the funds collected must be used for the benefit for the entire community. And while the board understands that the individual trees on private property provide public benefits, legally the tree would provide benefits to that individual property owner; so there may not be precedent for using impact fees in this manner. Instead, it may be more appropriate to explore the possibility of tree giveaways. Member Frank also pointed out that a giveaway would be less taxing on staffing and resources for implementation. Chair Smith also proposed that tree mitigation funds could be used to hire an individual who would focus on education efforts and help guide residents through the process of choosing and planting trees. Utility Forester Joe Wolf spoke to his experiencing overseeing GRU's tree giveaways for 15 years, which were extremely popular in the community. Member Frank also supported the use of tree mitigation funds to increase staffing, and added that

the tree giveaway generated community goodwill and that such a giveaway can demonstrate the benefits of having such a fund for the community. Chair Smith encouraged the idea of a partnership between general government and GRU for the implementation of a tree giveaway, which supports mutual goals and the concept of “right tree, right place.” Member Frank added that the extension agents would be a great component to the educational side of the giveaway. Member Manley stressed that any program initiatives should be clearly connected to the objectives behind the establishment of the tree mitigation fund.

Program Assistant Nieves described the documents attached to the agenda item. After a brief discussion, it was decided that board members would individually make recommendations to the most recent version of the Land Development Code individually using “tracked changes.” Over the course of the next few meetings, board members will submit their recommendations for each section, which will then become the focus of the following meeting. The goal is that the recommendations will be completed by the end of the year.

Public Comment: EJ Bolduc spoke to the matter.

After a short review of the suggestions made by Program Assistant Emily Nieves, the Board reviewed the proposed changes and comments made by Member Manley and Member Frank.

The board agreed to the following revisions to Sec. 30-8.7:

- Addition of a reference to F.S. 163.045 for (B)(1)
- Delete “on an inch for inch basis or as otherwise specified” in paragraph (C)
- Addition of “heritage size and are a” between “are of a...high quality species” in paragraph (C)(1)
- Delete “Mitigation trees associated with the removal of regulated trees not part of subdivision or development plan approval must be planted within six months of the permit having been issued, except where extenuating circumstances require an extension as authorized by the City Manager or designee” at end of paragraph (C)(1)
- Delete “the approval of a final development order, or prior to” in paragraph (C)(2)
- Addition of “and to conduct a tree inventory of all significant public trees on a ten-year basis” at end of paragraph (C)(2)
- Addition of “Use of a pre-manufactured structural soil product within the root zone volume area” after (C)(2)(a)(i)
- Correction to end of (D)(3) to read 30-8.44 instead of 30-8.43
- Reduction of container size requirement for mitigation trees on single-family land use to 3-gallon in mitigation table after paragraph (E)

- Reference to F.S. 162.045 in mitigation table after paragraph (E)

In addition, revisions to the definition of tree appraised value to reduce redundancies as well as discourage removal of high quality heritage trees was recommended. Reference to ANSI standards and best management practices in general or in particular in paragraph (C)(2)(a)(ii) was also recommended. Finally, specifying when root cutting can be preferred to removal (such as by a percentage of roots cut or volume) was strongly recommended to be incorporated at the end of paragraph (F).

*Public Comment: Ryan Klein supported the incorporation of BMPs and spoke to the importance of following up on trees that are planted for mitigation or post-development. Mr. Klein also described water utility incentives implemented in other cities to encourage more efficient tree watering.*

#### [DIVISION 2. TREES AND LANDSCAPE \(1\)](#)

[Minutes of March 2020 Meeting](#)

[Sec. 30 8.7. Permits for tree removal mitigation. 1-23-20 Emily suggesti](#)

[Sec. 30 8.44. Violations enforcement and penalties. 1-23-20 Emily sugg](#)

[Sec. 30 8.7. Permits for tree removal mitigation CEM input](#)

[Sec. 30 8.7. Permits for tree removal mitigation with comments from MI](#)

[Sec. 8.8 and 8.9 Municode](#)

[Invasive Tree List and Gainesville Tree List](#)

[Draft Gainesville Tree Matrix 2-18-2019](#)

[Florida Rule 5B-57.007--Noxious Weed List updated 28Sept2020](#)

[Invasive Tree List and Gainesville Tree List with comments from M. Frank](#)

[Final Tree Matrix EM input comparing Matrix and COG Tree List](#)

[200197A Tree Ordinance Revisions Link 20210412.pdf](#)

[200683.](#)

#### **Discuss Urban Forestry Outreach Presentation (NB)**

*Explanation: On 1-13-2021, the Board discussed outreach to City of Gainesville neighbors by means of in-person and virtual presentations. The Board desires to continue discussion of specific information for PowerPoint(s).*

*The Urban Forestry staff and Board members will collaborate on specific information needed to educate our neighbors regarding the benefits of trees, how to deal with tree concerns, tree ordinance regulations, how to obtain a tree removal permit, and City tree programs available to neighbors.*

*Fiscal Note: There is no fiscal impact associated with this item.*

**RECOMMENDATION**      *The Tree Advisory Board 1) hear presentation; and  
2) make recommendations as appropriate.*

[DRAFT Outline for Urban Forest presentation](#)

## NEW BUSINESS

[201070.](#)

### **Potential Purchase of Urban Forestry Conservation Land (B)**

*Explanation: A neighbor has proposed the purchase of a parcel of land off Rocky Point Road, as an urban forest conservation area. The Tree Advisory Board will discuss this potential purchase, using monies from the Tree Mitigation Fund (TMF). As per the Land Development Code, such a purchase using the TMF is allowed.*

*Fiscal Note: There is no fiscal impact associated with this item at this stage.*

**RECOMMENDATION**      *The Tree Advisory Board make recommendation  
whether to initiate purchasing procedures.*

[201070A\\_Land Purchase Details\\_20210414.pdf](#)

[201070B\\_Map Rocky Creek Land Purchase\\_20210414.pdf](#)

## PUBLIC WORKS UPDATE

## PLANNING UPDATE

## GRU UPDATE

## PUBLIC COMMENT

## ADJOURNMENT