



Legislation Details (With Text)

File #: 090878. **Version:** 2 **Name:** Landscaping and Tree Preservation Regulations (B)
Type: Ordinance **Status:** Adopted
File created: 5/6/2010 **In control:** City Commission
On agenda: 5/2/2013 **Final action:** 6/6/2013
Title: TEXT CHANGE LANDSCAPE AND TREE MANAGEMENT (B)
Ordinance No. 090878, Petition No. PB-10-7-TCH
An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances and the Land Development Code relating to landscape and tree management; by amending Sec. 30-23 Definitions; by amending Article VII. Development Review Process (Division 2. Subdivisions and Street Vacation and Division 4. Planned Development District); by amending Article VIII. Environmental Management (Division 1. Generally, Division 2. Landscape and Tree Management, Stormwater Management and Water/Wastewater Connection Policy, and Division 4. Relief and Enforcement); by amending Appendix A. Special Area Plans (for College Park, Traditional City, Central Corridors and University Heights); by amending Chapter 2. Administration (Division 12. Tree Board of Appeals and Division 13. Tree Advisory Board); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 090878_draft ordinance_20130502.pdf, 2. 090878A_staff ppt_20130502.pdf, 3. 090878_MOD REVISIONS_20130516.pdf, 4. 090878_Ordinance_20130606.pdf, 5. 090878_MOD REVISIONS_20130606.pdf

Date	Ver.	Action By	Action	Result
6/6/2013	2	City Commission	Adopted on Final Reading (Ordinance)	Pass
5/16/2013	1	City Commission	Adopted on First Reading, as amended (Ordinance)	Pass
5/2/2013	1	City Commission	Continued (1st Reading)	Pass
5/6/2010	0	City Commission	Approved (Petition), as amended	Pass

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The City Commission adopt the proposed ordinance as amended on second reading.

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

The duties of the Tree Advisory Board (TAB) include to "clarify tree regulations that exist in the city's codes," "advise all departments of the city on tree issues," and help "develop the goals and objectives for the city's comprehensive plan with respect to trees." Over recent years, the TAB observed that existing Land Development Code requirements are outdated and, in some instances, do not reflect best arboricultural practices. In addition, the TAB recognized a need to improve the protection of the City's most valuable high-quality heritage trees through the development and construction process. In addition, new shade trees have been allocated insufficient space during the development plan process. This has been particularly true in overlay districts such as College Park, where buildings are required to be constructed close to the street, and where existing underground utility lines are often in conflict with proposed street trees. This combination of factors has worked against required shade trees often they do not survive once planted and in some cases have not been planted. The TAB proposed many amendments to the Land Development Code in order to address these and other issues related to landscaping and tree preservation.

The proposed text amendments to the Land Development Code and the City Code of Ordinances have been prepared by and undergone extensive review and revision by the TAB, the Gainesville Community Redevelopment Agency, the City Public Works Department, the City Planning Department, Gainesville Regional Utilities, and stakeholders in the development community. The primary goals of the amendments include:

- * Bring requirements for tree protection, tree planting, and invasive exotic plant control into alignment with the practices that yield the best results based on scientific research.
- * Provide sufficient protection for heritage trees in all zoning classes (including financial mitigation under certain circumstances).
- * Create sufficient space for new shade trees so that they can grow to maturity without disrupting buildings, sidewalks, streets or other public infrastructure.
- * Emphasize that street buffer trees, Gainesville Regional Utilities line separation requirements, and Public Works clear zone safety requirements are all equally important, so that future development allows sufficient space for all three.
- * Diminish Gainesville's vulnerability to Southern Pine Beetle epidemics through post-development spacing of certain trees in order to diminish the insects capacity for rapid and relentless population increase.
- * Update the Gainesville Approved Tree list that was first assembled by the TAB in 1976 and last revised in 2000.
- * Clarify the role of the Tree Advisory Board and the Tree Appeals Board.

The proposed amendments will serve to protect the City's urban forest while implementing the goals and policies of the Comprehensive Plan regarding landscaping and tree protection. The proposed amendments are consistent with the Comprehensive Plan.

On February 25, 2010, the Plan Board heard the petition and received comments from the public.

The Plan Board, by a vote of 4-0, with minor text clarifications. On May 6, 2010, the City Commission heard the petition and, by a vote of 7-0, approved the petition with amendments. City staff worked extensively to prepare a draft ordinance and released same for review and comment in March 2011. Several public stakeholders expressed concern with and interest in revising the draft ordinance. As a result, in July 2011, the Gainesville Community Redevelopment Agency (CRA) directed CRA staff to hire a consultant to review the draft ordinance and coordinate a stakeholder review process. On March 19, 2012, a revised draft was presented to the CRA board by the CRA staff and consultant. On May 30, 2012, City Planning staff provided the revised draft to stakeholders, and on June 4, 2012, the Tree Advisory Board reviewed and approved the draft with further revisions.

CITY ATTORNEY MEMORANDUM

This ordinance requires two readings.