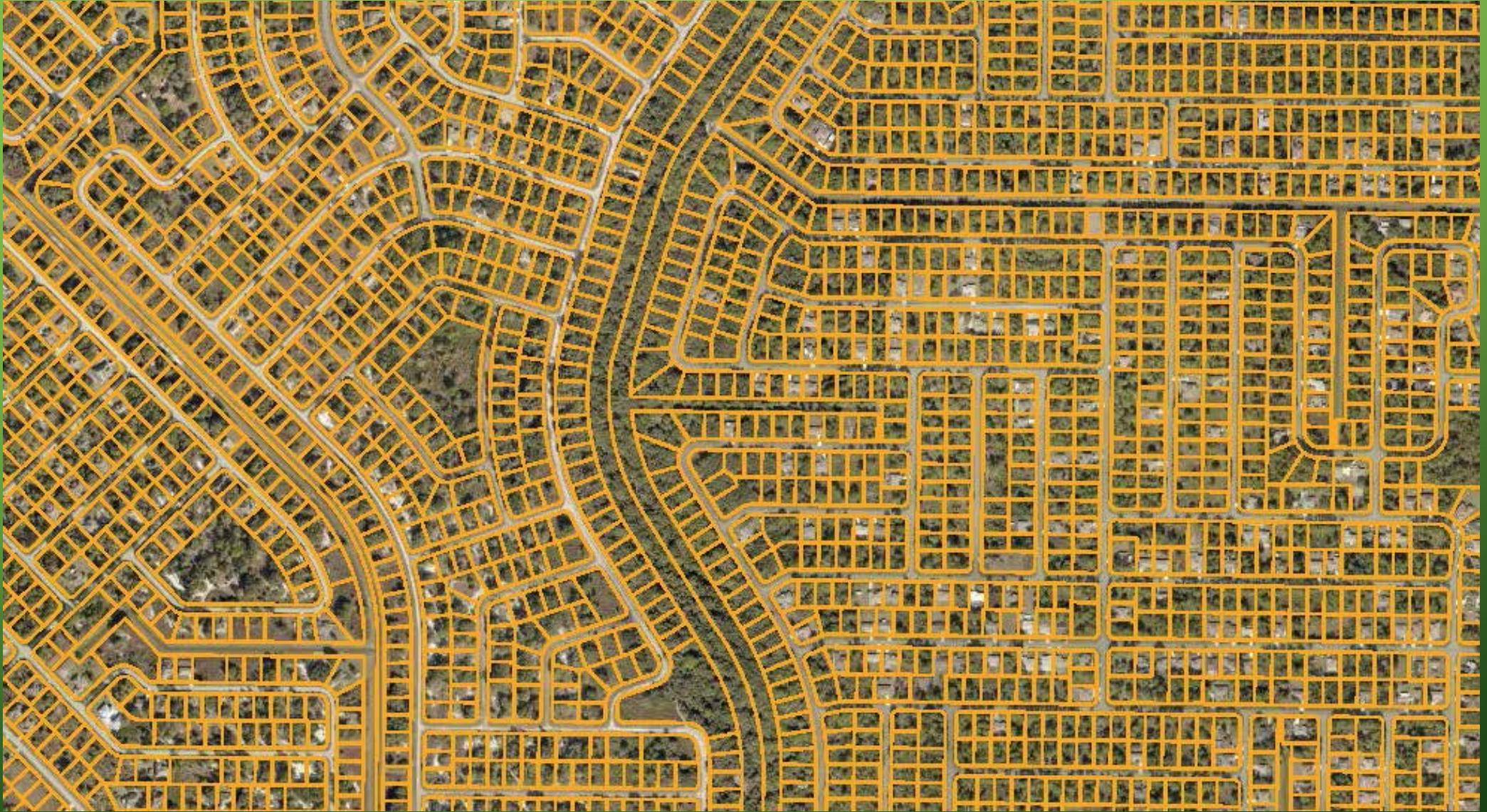


TREE PROTECTION REGULATIONS

- **IMPACT OF PLATTED LOTS**
- **CITY'S CANOPY COVER – 1995 vs. 2019 (ITREE CANOPY MODEL)**
- **KEY TREE PROTECTION REGULATIONS IN NORTH PORT AND SARASOTA COUNTY VS OTHER JURISDICTIONS**
- **UNIQUE COMPONENTS OF REGULATIONS IN OTHER JURISDICTIONS**



79% of survey respondents are concerned about clearcutting and tree removal in North Port.



52% want to be able to cut trees down on their own property without any restrictions or review.

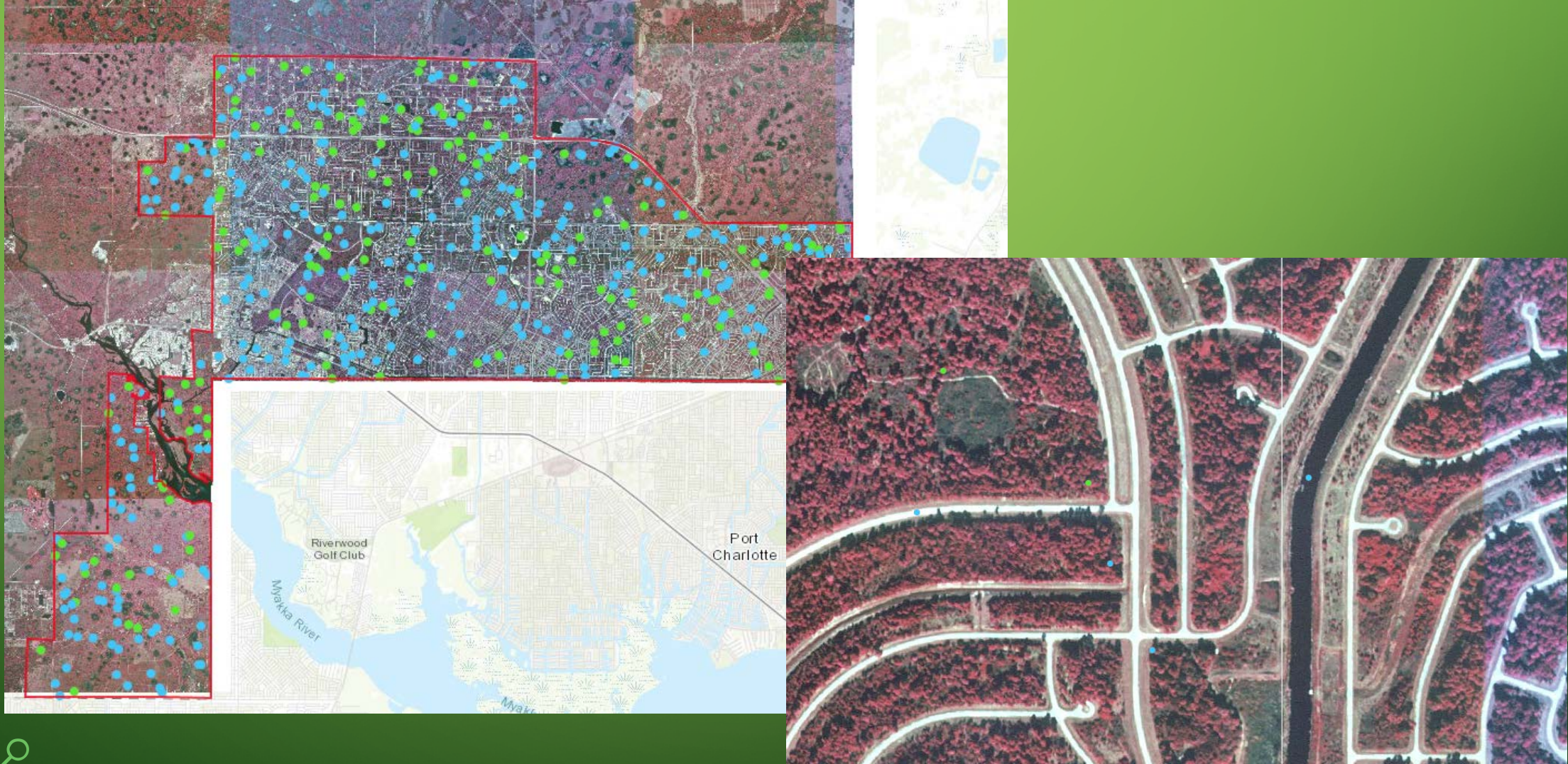
PERCENT CANOPY COVER IN THE 1997* CITY LIMITS – 1995 VS 2019

The NDS Environmental Specialist used iTree Canopy to do an additional 1,000 sample sites – 500 more for 1995 and 500 more for 2019 for a total of 1,000 for each timeframe:

- The Canopy Coverage for 1995 (1997 city limits) was 41.2% based on 1,000 sample sites.
- The Canopy Coverage for 2019 (1997 city limits) is 35.6% based on 1,000 sample sites.

*NOTE: The aerial photo used in the analysis is from 1995

iTREE SAMPLING POINTS



KEY TREE PROTECTION PROGRAM COMPARISONS

NORTH PORT

SARASOTA COUNTY

THREE PRE-PLATTED COMMUNITIES

- **DELTONA**
- **KEY BISCAYNE**
- **PORT ST. LUCIE**

SINGLE-FAMILY LOTS

North Port	Sarasota County	Deltona	Key Biscayne	Port St. Lucie
<p>Trees can be removed within footprint of home, and after CO, without a permit, <i>EXCEPT for heritage trees and trees required to achieve 35% canopy coverage per approved landscaping plan, which DO require a permit (most trees require permits);</i> No mitigation required, even for heritage trees.</p>	<p>Each lot must have a minimum of 1 tree per 2,000 sq. ft; No special consideration if trees are within footprint of planned house; Trees can be removed after CO without a permit, <i>EXCEPT for Grand Trees and trees planted to meet landscaping requirements;</i> Mitigation is required for trees that meet landscaping requirements.</p>	<p>Single-family and duplex dwellings - trees removed inside the "buildable area" do not have to be replaced. All trees removed outside the buildable area must be replaced. Each lot requires 1 tree per 2,500 sq. ft. – either existing or planted.</p>	<p>Permits not required for removal of trees within the yard of an existing single-family residence, or for construction of a house, provided the trees are not within a natural forest community, and are not specimen trees.</p>	<p>Single family platted lots are exempt from preservation requirements as long as the minimum landscape requirements are met and maintained (minimum for 10,000 sq. ft. lot is 4 trees). Requires specific number of trees based on lot size and these can be preserved or replanted.</p>

METHODOLOGY FOR DESIGNATING “GRAND TREES”

(SARASOTA COUNTY)

Species	Minimum Points Needed to be a “Grand Tree”
American Elm (<i>Ulmus americana</i>)	100
Bald Cypress (<i>Taxodium distichum</i>)	100
Hickory (<i>Carya</i> spp.)	100
Live Oak (<i>Quercus virginiana</i>)	100
Pine (<i>Pinus</i> spp.)	100
Redbay (<i>Persea borbonia</i>)	85
Sand Live Oak (<i>Quercus geminata</i>)	80
Southern Magnolia (<i>Magnolia grandiflora</i>)	80
Southern Red Cedar (<i>Juniperus silicicola</i>)	90
Sugarberry (<i>Celtis laevigata</i>)	95
Sweetbay (<i>Magnolia virginiana</i>)	90
Sweetgum (<i>Liquidambar styraciflua</i>)	100

Measurements	Points
Trunk diameter (DBH)	1 per inch
Height to the nearest foot	1 per foot
Average canopy spread to the nearest foot (measure the longest and shortest diameters of the limb spread or drip line and divide by 2)	1 for each 4 feet

A “Grand Tree” must be replaced onsite on a DBH inch-for-inch basis. If it is determined to be infeasible, the applicant shall pay \$200 per DBH inch to the reforestation special revenue fund.

Exemptions, including on residential lots, do NOT apply to Grand Trees.

SEWER/SEPTIC AREAS

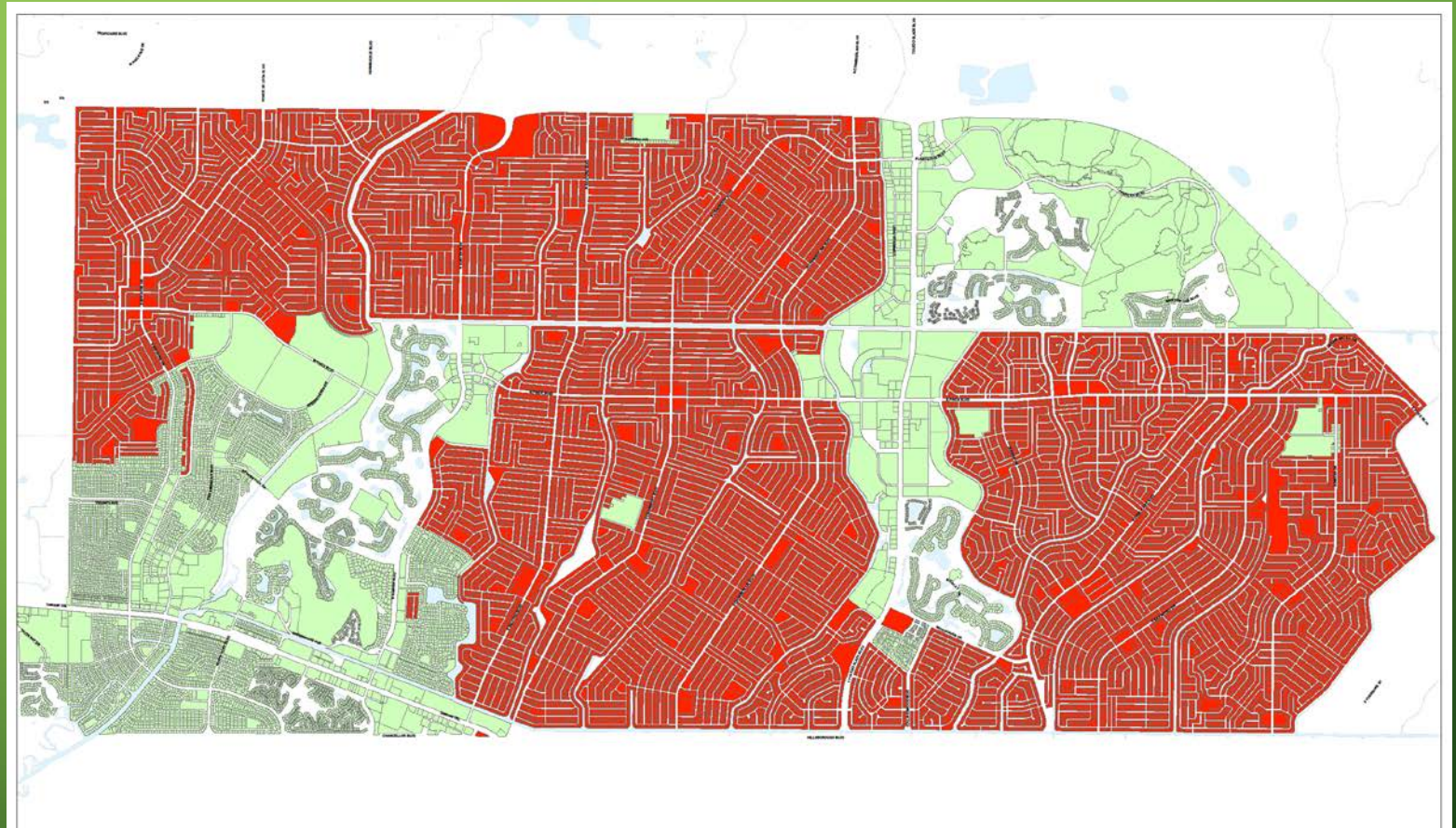
Red: Parcels with septic systems

Green: Parcels with municipal sewer

Estimated Septic Fill

Range: 2-6 feet

Average: 4-5 feet



Unsewered Parcels

11,158 Sewer Parcels

44,654 Septic Parcels

SPECIAL FLOOD HAZARD AREAS

Central Area of City: This is a typical scenario that shows the SFHA mainly in or adjacent to ponds and drainageways

Estimated SFHA Fill

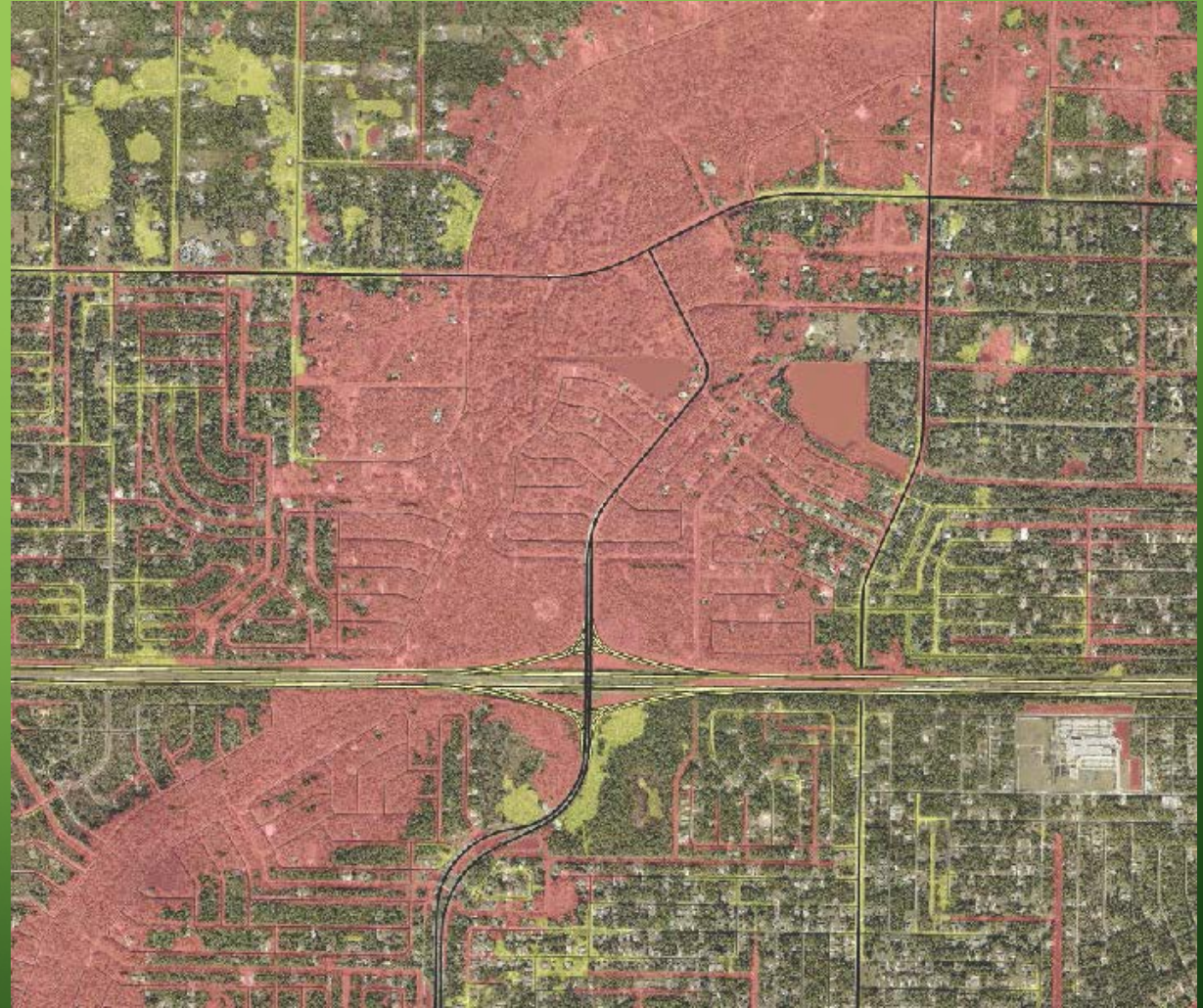
Range: 2-5 feet

Average: 2-3 feet



SPECIAL FLOOD HAZARD AREAS

Northern Area of City, including the Estates: In this area of the City the SFHA is more prevalent and affects development to a greater extent.



ILLEGAL LAND CLEARING

North Port	Sarasota County	Deltona	Key Biscayne	Port St. Lucie
<p>Required to obtain an after-the-fact permit at double the regular permit fee or a \$500 fine, whichever is greater, for residential, and/or mitigate the impact of said action in accordance with the provisions of this chapter.</p>	<p>Corrective actions may be required such as restoration of any native habitats impacted by the violation activities; In lieu of replanting the Applicant may choose to mitigate by paying \$200.00 per diameter inch of the Trees removed (\$500 for a Grand Tree); If not mitigated, fines are \$250 1st day; Additional \$25-\$50 each day after day 1</p>	<p>Must pay into Tree Replacement Fund- \$18.04 per cross-sectional area of replacement stock; A Special Magistrate adjudicates matters regarding code enforcement. The maximum fine is \$250 per day and \$500 per day for repeat violations.</p>	<p>For After-the-Fact tree removal/ relocation permits, the application and the per tree(s) fees are doubled. For example, on commercial property, the fees before doubling are \$140 for the before inspection fee and \$35 + \$12 per tree up to a maximum of \$660/acre for the after inspection fee.</p>	<p>2X application fee into tree preservation fund or mitigation at a 4:1 ratio, where having a buffer is vital to public interest P&Z can require replanting; A Special Magistrate conducts a code compliance violation hearing and assesses the fines - \$25 per violation per day with a maximum of \$100 per day.</p>

REAR AND FRONT EASEMENTS/R-O-W

North Port	Sarasota County	Deltona	Key Biscayne	Port St. Lucie
<p>Trees required by this chapter to be replaced or relocated shall not be located closer than 3 feet to any property line if it causes an obstruction to the drainage system or 6 feet from any utility line or City easement</p>	<p>When private installation of Trees within a R-O-W is proposed, a maintenance agreement will be required in addition to a R-O-W Use Permit.</p> <p>Trees shall not be located closer than 3 feet to any property line, or 6 feet from any utility line or County easement.</p>	<p>Not allowed to plant in easements or rights-of-way</p>	<p>Cannot plant in rights-of-way. Planting in easements is not specifically mentioned.</p>	<p>Landscaping may encroach up to 10 feet into a 20-foot drainage easement, provided that:</p> <ol style="list-style-type: none">1) The applicant demonstrates that the site development requirements constrain the site; and 2)The presence of the landscaping does not impede access, maintenance activities, or interfere with the operation of the City's drainage infrastructure as determined by the City Engineer; and 3)The owner completes a Revocable Encroachment Permit.



UNIQUE COMPONENTS OF TREE PROTECTION REGULATIONS

DELTONA

KEY BISCAYNE

PORT ST. LUCIE

SARASOTA COUNTY

ADMINISTRATIVE MODIFICATIONS

North Port	Sarasota County	Deltona
<p>Administrative variances shall only be used to promote site plan flexibility on residential and commercial parcels and/or lots for the express purpose of tree preservation. The City Manager or designee shall only issue administrative variances for up to 25% of front, side and/or rear yard setbacks for projects that meet the criteria. Administrative variances shall not be issued for easement encroachments.</p> <p>Applicants requesting administrative variances....</p>	<p>Does not appear to have a provision for administrative modifications.</p>	<p>The Enforcement Official *(EO) may, in his or her discretion, waive or modify certain requirements by an amount not to exceed 15%, if literal interpretation will seriously hamper the use to which the property is intended.</p> <p>The EO may also reduce required yard setbacks and parking spaces by up to 20% to protect and encourage preservation of large canopy, specimen, or historic trees. EO may modify development standards if less than 1 foot</p> <p>* Enforcement official: the director of a given city department assigned the responsibilities of enforcing designated parts of the city code, or such other person as may be designated by the city manager.</p>

DOES NORTH PORT WANT TO ALLOW OR REQUIRE ADMINISTRATIVE MODIFICATIONS TO PRESERVE TREES?

NATIVE TREES/VEGETATION

North Port	Sarasota County	Key Biscayne
<p>A minimum of 50% of all trees required to be planted shall be native species.</p>	<p>Not required, except for 75% of trees along canopy roads, but encouraged.</p>	<p>100% of replanted trees are REQUIRED to be native to the area.</p> <p><u>Natural Forest Community:</u> On sites 5 acres or more, you cannot clear more than 10% of the canopy and understory in a hardwood hammock natural forest community or more than 20% of any pineland natural forest community. The remaining areas are deemed preserve areas and shall be left in their natural state. If site is less than 5 acres and the restriction does not allow some use of the property, a permit may be issued for clearing up to 1/2 acre of hardwood hammock and 1 acre of pinelands.</p>

DOES NORTH PORT WANT TO PUT MORE EMPHASIS ON NATIVE TREES AND VEGETATION?

PALM “TREES”

North Port	Sarasota County	Key Biscayne
<p>The canopy points given for Palms is the same as a small shade tree.</p>	<p>A grouping of 3 or more palm trees shall be deemed the equivalent of 1 shade tree. A grouping of 2 or more shall be considered equal to 1 accent tree.</p>	<p>A maximum of 40% of tree requirement may be satisfied by palms. If palm trees are provided, every 3 palms shall be counted as a shade tree. Minimum height of palms to be considered as a shade tree substitute shall be 12 feet. They are also required to be native palms.</p>

DOES NORTH PORT WANT TO REQUIRE MULTIPLE PALM TREES THAT ARE CLUSTERED IN GROUPINGS IN ORDER TO PROVIDE ACTUAL SHADE?

DOES NORTH PORT WANT TO ONLY COUNT SABAL PALMS BECAUSE THEY ARE NATIVE?

USE OF TREE PRESERVATION FUND

North Port	Sarasota County	Port St. Lucie
<p>The Tree Fund shall be used for the following activities: (1) Purchasing property within the City for tree preservation purposes; (2) Planting trees from the Tree Priority List on public lands within the City; (3) Educating the public on proper care of trees; (4) Maintaining tree health and safety on public lands within the City; (5) Purchasing conservation easements on privately owned property within the City.</p>	<p>County Administrator or designee shall have the authority to disburse <i>Reforestation Special Revenue Funds</i> for projects in accordance with the following criteria:</p> <ol style="list-style-type: none">1. Projects shall involve plantings on publicly owned land;2. Projects shall not be used to satisfy any landscaping required per the Zoning Regulations;3. Projects may include enhancement or restoration of native habitats, not required through permitting or regulation.	<p>To be used for the acquisition, maintenance, and planting of trees on public lands. This fund may also be used for the relocation of trees to public lands and for periodically distributing saplings to the public to increase tree canopy coverage in association with the City's Keep Port St. Lucie Beautiful tree giveaway program</p>

DOES NORTH PORT WANT TO PERIODICALLY GIVE AWAY NATIVE SAPLINGS TO RESIDENTS TO ENHANCE TREE CANOPY?