

SUMMARY OF TREE ORDINANCE CHANGES

Standard	Current Ordinance	Proposed Ordinance
Exemption Classification # 1 (exempt from permitting/site plan review)	<ul style="list-style-type: none"> • Nursery trees • Removal of fallen dead/diseased trees • Removal of trees that endanger public or private property • Storm-damaged trees during & 3 months after event • County ROW trimming • Trimming & removal around utility lines by public utilities 	<ul style="list-style-type: none"> • Pruning, trimming, removing trees on “residential properties” that present danger to persons or property, as determined by cert. arb. or Fl.-registered LA (HB 1159) • Nursery trees • Storm-damaged trees during & 1 month after event • Minor maintenance with best practices • County ROW trimming • Trimming around utility lines by public utilities • Fallen trees (P. 7)
Exemption Classification # 2 (permit & cert. arb. letter required)	<ul style="list-style-type: none"> • Poor tree health • Tree restricts opening of street • Tree restricts utility or drainage facilities • Tree restricts reasonable use of property • Hazard • Thinning to reduce overcrowding (up to 25% of trees) 	<ul style="list-style-type: none"> • Thinning to reduce overcrowding & improve tree health (no percentage provided) • County ROW removal • Emergency purposes removal (P. 7-8)
Tree preservation	45% of pre-development tree caliper inches	100% of tree caliper inches outside construction zone & limits of disturbance (P. 8-9)
Tree replacement/mitigation	If circumstances don’t allow for the 45% preservation, this percentage can be met with replacement trees on a one-to-one tree caliper inch basis, as approved by PZB	25% of construction zone & limits of disturbance tree caliper inches (P. 8-9)
Off-site mitigation (tree planting)	Allowed when site cannot accommodate, in public property or on private conservation easements, as approved by PZB	Allowed when site cannot accommodate, through Tree Fund/Fee-in-Lieu, as approved by BoCC with recommendation from NCAITC (P. 16) and Tree Bank Exchange, through DRC/Staff review on nearby properties under control of developer (P. 18)
Fill stockpiling & native soil	N/A	Required

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Class I Development (existing SFR, duplex, MH)	Exempt	Not exempt, but Staff review allowed
Class II, III, & IV Development	Site Plan review (SP)	Part of PBSP, SP, SEP, PDP, or FDP
Site tree inventory required	Yes (For Class II, III, & IV)	Yes
Cert. Arborist required	Yes	Only for removal of 4 or more trees
Replacement tree min. size dbh	3", 10' tall, 5' wide	3", 10' tall, 5' wide
Species diversity requirement	N/A	Not more than 40% of one genus or 20% of one species
Fee-in-lieu/Tree Fund	N/A	Yes, determined by quotes from 3 retail nurseries
Tree Fund Utilization	N/A	Utilized for tree planting on public or private lands, funding tree-related studies & natural area assessments
Tree Fund Fee	N/A	Can be used for up to 50% of required replacement caliper dbh
Tree preservation credits	80 th size percentile +: 125%	12"-24" dbh: 115% credit 24"-38" dbh: 125% credit 38"+ dbh: 150% credit Trees shading public space: 115% credit Credits not granted for areas not suited for planting (utility easements)
Tree Bank Exchange Area (off-site planting)	Allowed subject to PZB review	Allowed for unified developments through DRC review of SEP, Plat or similar means
County Tree Planting Program (optional)	N/A	As adopted by NCAITC for public & private tree planting
Tree Protection	<ul style="list-style-type: none"> • TPZ tied to drip line (less than 6' out from the trunk requires 6' TPZ radius, 6-20 feet out requires full drip line, & 20" feet out requires 20'-foot radius. • TPZ barricades required but not specified • TPZ prohibited activities: vehicle/equipment parking, material 	<ul style="list-style-type: none"> • TPZ – radius 6+ times trunk diameter • TPZ barricades require 2'X4" posts – mesh or wood fence • Mechanical trenching not allowed-only hand trenching and directional boring allowed • No activity & storage allowed in TPZ

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	stockpiling, grading/grubbing, excavation/trenching, burning or burial of debris (entire site), dumping of construction wastes	
Tree Abuse	<ul style="list-style-type: none"> • No person shall “abuse, mutilate, or otherwise damage any protected tree” • No signs attached to tree 	Prohibited, including hat-racking, topping, over-pruning (more than 30% of canopy), compaction by material storage, grade change, etc.)
“Waivers”	N/A	<ul style="list-style-type: none"> • By NAITC, limited to building setback reductions, building height increases, required parking reduction. • By Planning Director, setback reductions, height increases, & parking reduction – all limited to 5%
Appeals	PZB	<ul style="list-style-type: none"> • PZB (interpretation) • Code Enf. Board (violations)
Violations	Obsolete reference	<ul style="list-style-type: none"> • Restoration plan required • Inch-per-inch dbh caliper replacement