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Subject: Land development code updates and trees
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Mary and Rebecca,

Below is an e-mail that I sent to commissioners Herr, Lockhart and Zembower. I met with commissioner Herr to review this topic and she asked that I send out an e-mail and to make sure I included both of you and the county manager.

As you may know I am a licensed Landscape Architect that has practiced in Central Florida for the past 40 years and have worked with a large number of different municipalities and so have worked with a number of different Land Development Codes seeing what works and what does not..

I have reviewed the proposed regulations and have some thoughts regarding trees (preservation and planting) requirements.

The following is my thoughts:

Arbor Trust Fund; also known as a tree bank fund. It is mentioned in the new code which is great. For almost every development we have worked on, you can never fully replace the existing trees that have been removed on site. There is just not enough green space left on a site to accommodate the trees needed for mitigation. That said an Arbor Trust fund is a great way for the community to replant trees. The problem that I have seen over the years is that these tree bank funds get rolled into general funds with no accountability regarding the funds being used to plant more trees. In the draft LDR's the fee index is not available.

Recommendations:

- Utilize the fund to actually plant trees. obligate fund managers to spend 75% of the fund value each and every year planting trees. The citizens should see that trees are being replaced rather than just removed.
- Utilize the Environmental Advisory Board (EAB) to work with the county and manage the type and location of trees to be planted. Many on that board have this expertise and so let's utilize that talent.
- Establish the mitigation to be \$100 per inch for those inches that cannot be replaced on site. This is a common cost in other codes and can generate a significant amount of annual funding.

Tree Preservation/ Open Space: I see that there is a requirement to preserve 25% of the trees/ inches on any given site. I also see criteria for lands to be counted toward open space. To get credit for open space there are specific performance and location standards. The disconnect is that tree preservation areas may not be credited towards open space because of their location on the site. If

the builder is leaving a patch of existing trees in its natural state to meet the code, then they should be able to receive credit towards open space regardless of the location on the site.

Recommendations:

- Allow the applicant to create tree preservation areas within the development and get credit for the land area towards the open space requirements, regardless of where the preservation area is located.

Approved Plant list: there are disconnects between trees that require mitigation for removal and what is allowed to be planted in the county. For example, Laurel Oaks appear to be counted as a protected tree when evaluating tree removal but are not on the counties list of approved trees. If we can't plant it, we should not be required to mitigate its removal.

Recommendations:

- Confirm consistency with the tables to acknowledge what is counted as a protected tree and the list of what trees can be planted.

Landscape Buffers: the buffers outlined on page 221 in the LDR's are the pretty much same as the existing code. One thing that has always been a challenge is the planting of canopy trees within these buffers. Canopy trees by definition are large 40-50' tall trees with big spreads and large root systems. We plant them 5-10' away from adjacent single-family lots. The unintended consequences of planting these big trees next to someone's back yard is that the neighboring property owners now must deal with all the shade, the inability to grow grass in the back yard, roots tearing up swimming pools etc. If the goal is to screen one property from another, then planting trees that get up to 30-35' (understory trees) will do the job and cause less hardship on the adjacent property in the long run.

Recommendations:

- Remove the requirement for canopy trees within buffers that abut adjacent properties.
- Increase the number of understory trees to be planted within the buffer accordingly.

Tree Planting on Single family lots. The code has a provision of a minimum number of canopy tree per lot. Starting with the small lots < 6,000 s.f. the requirement is 2 canopy trees per lot. Once the home and driveway are constructed there would be about 2,000 s.f. of yard space remaining. 1,000 s.f. in the back yard and the remainder in the side and front yards. There is simply not enough room to place two canopy trees in that amount of space. For example, a mature oak tree with a 40' diameter will take up 1,250 s.f. land. If in the back yard it will completely cover the yard and the neighbors' yard as well. If a homeowner wants a vegetable garden or pool, then they will remove the tree eventually defeating the purpose of planting trees. Same goes for larger lots with more trees required. Let's look at this proactively. As a minimum county standard placing 1 canopy tree in the front yard as a street tree and placing an understory tree in the rear yard will achieve the county goal of planting trees but also negate the nuisance factor of large trees. Any homeowner can plant more canopy trees, but the minimum standard addresses the right tree in the right location standard.

Recommendation:

- adjust the minimum tree planting table on page 272 to reduce the required canopy trees per lot and incorporate the use of understory trees to meet the number of trees to be planted on a single-family lot.

Anyway, these are my thoughts. Please give a call if you want to review any of this.

President

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