

CHAPTER 106. ENVIRONMENTAL PROTECTION

Sec. 106-1. - Purpose. The purpose of this Chapter is to provide standards to regulate development activities which could contribute to the destruction or pollution of environmentally significant resources, and to establish those resources to be conserved.

Sec. 106-2. - Applicability. A developer should apply the provisions of this Chapter to a proposed development site before any other development design work is done. Those portions of a proposed development which are determined to contain environmentally significant resources shall be protected from adverse impacts caused by development activity. No development order may be issued until the provisions of this Chapter have been met, and/or suitable mitigation is provided to prevent/offset adverse impacts to the protected resource.

Sec. 106-3. - Environmentally significant resources. Environmentally significant resources are those identified as being within the conservation special treatment zones set forth in section 104-63, and the following:

- A. Wetlands;
- B. Marine resources including sea grass beds, estuaries, submerged lands, and estuarine shoreline;
- C. Identified wildlife habitat;
- D. Designated flood zones; and
- E. Protected trees.

Sec. 106-4. - Wetlands.

A. Generally. Wetlands are those under the jurisdictional permitting authority of the Florida Department of Environmental Protection and defined in F.A.C. 62-340.300 (as amended); and/or the U.S. Army Corps of Engineers and defined in Title 33, Code of Federal Regulations (Chapter II, Part 328, section 328.3).

B. Protection standards. All development activities in jurisdictional wetlands are prohibited unless:

- 1. Valid permits are obtained from the Florida Department of Environmental Protection and/or the U.S. Army Corps of Engineers, subject, however, to the provisions of Section 102-33.C.;

2. Appropriate mitigation of destroyed or damaged wetlands is provided by the developer pursuant to the provisions of, Ch. 62-330 Florida Administrative Code (as amended);

3. The development activities are determined not to be contrary to the public interest as defined in the comprehensive plan.

C. Upland buffers to protect wetlands are required in accordance with Comprehensive Plan Policy 6.6.4.

Sec. 106-5. - Marine resources.

A. Sea grass beds. No development activities may be undertaken in areas containing marine sea grass beds or adjacent areas when the development activity would contribute to the degradation of the sea grass beds unless:

1. Valid permits have been obtained from all jurisdictional agencies prior to the approval of the City, subject, however, to the provisions of Chapter 102;

2. Appropriate mitigation of destroyed or damaged sea grass beds is provided by the developer pursuant to the provisions of Ch. 62-330, Florida Administrative Code.

B. Estuaries and submerged lands. No development activities may be undertaken on submerged lands or the estuarine water column below mean high water unless permits or exemptions are obtained from all appropriate jurisdictional agencies.

C. Estuarine shoreline. In addition to the requirements of subsections (A) and (B), no development or construction activity shall be permitted on upland areas within 30 feet of the mean high tide line of any estuarine water body. Within this restricted area, all natural shoreline vegetation shall be preserved for a distance of 20 feet landward from the mean high tide line, except that a corridor not to exceed 15 feet in width may be cleared for access to the water.

Greater buffers may be required if the upland activity adversely impacts beneficial estuarine functions. The buffer requirement may be allowed to coincide with the setback requirements for landscaping requirements. Notwithstanding, the following exceptions shall apply:

- 1. **In any case, the buffer requirement shall not exceed the width of the estuarine water body when the water body is less than 20 feet across. However, the estuarine buffer cannot be smaller than that**

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required by any state or regulatory agency.

2. Project design and construction may be allowed in lieu of the required buffer when it can be demonstrated the design and construction provides protection to the water body that is equal or greater than the vegetated buffer, or restores the natural flow and function of the wetland. However, the estuarine buffer cannot be smaller than that required by any state or regulatory agency.

3. The development or construction activity is in the overriding public interest such as a public hazard, road, utilities, and resource-based recreational facilities.

Sec. 106-6. - Wildlife habitat.

A. Generally. A development shall not be permitted if it would significantly damage or destroy the habitat of species listed as endangered or threatened in the “Official Lists of Endangered and Potentially Endangered Fauna and Flora in Florida,” published by the Florida Game and Fresh Water Fish Commission.

B. Protection standards. An owner or developer of any areas identified as a habitat for endangered or threatened species shall provide a study by a qualified biological consultant that defines the value and extent of such habitat. If the study determines that the habitat needs to be protected, the protection shall be established either as a condition of development approval or as part of an enforceable development agreement. F.A.C. 68A-27 (as amended) administered by the Florida Fish and Wildlife Conservation Commission shall be adhered to.

Sec. 106-7. - Flood zones.

A. Flood zones are those identified on the official flood insurance rate maps for Panama City, Florida.

B. The development of hospitals, nursing homes, or similar institutions is prohibited within designated flood zones.

C. All development activity permitted to be undertaken in designated flood zones shall comply with the provisions of Chapter 9 of the City’s Municipal Code.

Secs. 106-8—106-10. - Reserved.

DIVISION 2. - STORMWATER MANAGEMENT AND SOIL CONSERVATION

Sec. 106-11. - Generally.

A. Public purpose. This division is intended to provide standards to control pollution, flooding, siltation, and erosion; to protect surface and groundwater resources; to allow landowners reasonable use of their property; and to prevent an increase of stormwater runoff caused by development.

B. Application. Any new building or structure; any building or structure having an age of 20 years or more and which has not been continuously and actively used or occupied for a period of 6 months or more; any building or structure that sustains physical damages of 50% or more; or the enlargement of any structure shall comply with the then existing stormwater requirements provided the grounds or site on which the building or structure is located is adequate to accommodate the retention requirements. If the grounds or site on which the building or structure is located is not adequate to accommodate the retention requirements, the city shall have the discretion to waive up to 25% of the number of parking spaces required under this Land Development Code if such waiver is necessary to meet the stormwater requirements. Stormwater requirements may be reduced or waived entirely where the site cannot accommodate compliance with the stormwater requirements and the applicant can demonstrate no adverse impact to offsite properties or resources upon approval of the Planning Board.

C. Exemptions.

1. Developments which discharge directly into an existing stormwater treatment facility with sufficient reserve quality and quantity capacity as determined by the director.

2. Developments which discharge directly into estuarine waters will not require flood attenuation, however, compliance with water quality standards and siltation controls shall be required.

3. Developments which must meet a stricter stormwater management standards mandated by another agency.

4. Maintenance work (for public health and welfare purposes) on existing mosquito control drainage structures.

5. Emergencies requiring immediate action to prevent substantial and immediate harm or danger to the public or environment. A report of any emergen-



cy action will be made to the City as soon as possible.

6. Single-family detached dwellings, duplex, triplex, and quadraplex units and accessory structures that are not part of a larger development, provided that the developer shall demonstrate that no adverse impacts to offsite property(s) will result from the exempted activity.

7. Developments which do not alter or add more than 2,000 square feet of impervious surface to include semi-impervious gravel parking and are not part of a larger phased plan of development, provided that the developer shall demonstrate that no adverse impacts to offsite property(s) will result from the exempted activity.

D. Panama City stormwater master plan. The Panama City stormwater master plan (“stormwater plan”) shall dictate the required level of water quality treatment and flood attenuation based on the adequacy or inadequacy of drainage basins in the stormwater plan.

E. Requirements for finished floor elevations. All finished floor elevations for residential and commercial development must be at least 12 inches higher than the crown of all adjacent streets at their highest point or 12 inches above the curb, whichever is greater. (?what about buildings set at the back of sidewalk that are only about 1” higher than the curb to meet ADA slope requirements?)The drawings should clearly show the finished floor elevations along with the street crown and curb elevations of all adjacent streets. Requests for deviations from this requirement may be approved by the City Engineer, or the City Engineer’s designee. In cases where this requirement is waived by the City Engineer, the provisions of Chapter 9, Drainage and Flood Damage, shall still apply.

F. Miscellaneous. This division supersedes section 102-79 to the extent of any conflict.

Sec. 106-12. - Developer stormwater and erosion control plan.

A. For all developments exempt under 106-11.C., the owners or developers shall submit to the director a proposed site plan with site grading information sufficient for a determination to be made that the development will not adversely affect the direction or rate of stormwater discharges onto the site or from the site.

B. For all developments not exempt from these stormwater requirements, the owners or developers shall

submit to the director a proposed stormwater management and erosion control plan prepared by a licensed Florida engineer based on the City Stormwater Plan.

C. The purpose of a proposed stormwater management plan is to provide measures to meet stormwater quantity (flooding, discharge rates) and quality (siltation, erosion, pollution) controls and flood prevention requirements for all roadways, properties, resources, and structures which may be affected by runoff during and after construction.

D. Each proposed plan shall include:

1. Name, address, and telephone number of the applicant.

2. Location map and aerial photo of the development site which clearly outlines project boundaries.

3. Sufficient mapping of existing conditions to confirm existing impervious surfaces, topography, and stormwater conveyance/storage facilities. Stormwater storage facilities include manmade or natural areas that retain runoff on the site.

4. A description of predevelopment hydrologic and environmental conditions of the site including:

i. Receiving waters and all existing drainage structures to outfall systems, if any.

ii. Stormwater runoff direction, volume, and flow rate, including any flows onto or off of the project site.

iii. Adjacent upland acreage, if any.

iv. Nearby and onsite wetlands and other environmentally significant resources as described in section 105-61.

v. Groundwater levels, including seasonal high groundwater levels, and measured infiltration rates of onsite soil at or near the bottom elevation of any proposed stormwater retention facility(s).

vi. On-site vegetation and soils.

vii. Any maps, sketches, graphs, tables, photographs, narratives, studies, and other information useful to evaluate the impact of development on stormwater runoff onto and from the project site.

viii. Other like information deemed necessary by the City to evaluate the characteristics of the af-

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affected area, the potential impact to City stormwater management facilities, and the acceptability of proposed compensating measures.

5. Components of the proposed stormwater and erosion control plan including:

i. Projected post development stormwater runoff direction(s), volume(s), and flow rate(s), and a before-and-after comparison of volume(s) and flow rate(s).

ii. An erosion and sedimentation control plan.

iii. Calculations and/or computer modeling of the stormwater management facilities sufficient to determine that the facilities will meet the stormwater quality and quantity standards.

iv. Construction and design plans for stormwater improvements.

v. Other post development site conditions, such as any projected impact upon environmentally significant resources or existing drainage channels.

vi. Any related information deemed necessary by the director to evaluate the impact or effectiveness of the proposed plan.

6. A plan for continual maintenance of the stormwater management system, and permanent erosion and sedimentation control.

E. The director may waive portions of information required above where it is deemed inapplicable or otherwise unnecessary for the evaluation of the particular site conditions.

F. Engineers and developers are encouraged to use information published in Chapter 6 of the Florida Development Manual: A Guide to Sound Land and Water Management and the Environmental Resource Permit Applicant's Handbook (Volumes I and II), published by FDEP, in conjunction with their own expertise, to assure stormwater best management practices (BMP's) are properly designed and constructed for their particular site and situation.

G. Engineers and developers are encouraged, where practicable, to use regional stormwater retention/detention facilities in lieu of site-specific facilities.

Sec. 106-13. - Stormwater treatment and control

City of Panama City, FL

standards.

A. Pollution control (quality). All development not exempt shall provide for stormwater treatment as follows:

1. Stormwater treatment shall be provided in accordance with current FDEP and NFWFMD standards.

2. The retention and/or detention of a greater amount of stormwater may be required in areas of special concern as designated in the city stormwater master plan. Detention with filtration, with a safety factor of 3, may be used only in special applications, when approved by the director.

3. Unless more stringent city standards apply, all stormwater treatment requirements of the Environmental Resource Permit Applicant's Handbook (Volumes I and II) shall be complied with.

4. All stormwater discharge facilities shall have skimming devices and erosion control measures. Skimming devices shall provide effective retention of floating pollutants for up to the peak regulated storm event under 106-13.B.

5. Off-site discharge flows shall be limited to nonerosion velocities.

B. Flood control (quantity). All developments not exempt shall provide for flood attenuation as follows:

1. At a minimum, facilities shall be provided to attenuate a 25-year frequency storm event of critical duration so the post development stormwater off-site peak discharge rate in any direction shall be not greater than predevelopment rate in the same direction.

2. Developments which discharge stormwater directly into estuarine waters shall not be subject to stormwater quantity standards.

3. The capacity of all stormwater facilities shall comply with the City stormwater master plan and be certified by the developer's licensed Florida engineer upon the completion of the project.

C. Erosion and siltation control. All developments not exempt shall provide for erosion and sedimentation control as follows:

1. The plan for erosion and siltation control proposed by a developer shall provide for both temporary measures during construction and permanent control measures.

2. During construction, storm drainage inlets shall be



protected by hay bales, screens, or temporary structures to prevent siltation. All soil stockpiles shall be protected against dusting and erosion.

3. Sediment basins, sediment traps, perimeter berms, filter fabric fences, and/or hay bales shall be installed according to the approved erosion control plan before and during all land grading operations, and shall be maintained until the site is permanently stabilized.

4. At all times during and after development, denuded areas shall be stabilized. Final stabilization measures shall be in place within 60 days of final grading.

5. Control measures shall comply with the management practices contained in the Florida Department of Environmental Regulation's Florida Development Manual: A Guide to Sound Land and Water Management; the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual, or similar publications.

D. Waiver. The submission of an erosion and siltation control plan may be waived by the director for minor developments.

Sec. 106-14. - Stormwater and erosion control plan adherence and maintenance.

A. Adherence. Once approved, an applicant shall adhere to the stormwater and erosion control plan, and any amendments to the plan must be approved by the City.

B. Certification. After completion of the project, the director may require the project engineer to certify that the constructed control measures meet the stormwater treatment, flood attenuation, and erosion and siltation standards outlined in the approved plan.

C. Inspection. The owner, owner's engineer, or contractor shall arrange for periodic city inspections of the stormwater management system during development and prior to cover-up of underground components as necessary to ensure adherence to the approved plan.

D. Maintenance. Upon completion, the stormwater management system shall be maintained by the owner. By written agreement, the City or other agencies may accept the responsibility for maintenance.

E. Failure to maintain. If the owner fails to maintain the stormwater management system, any flooding, pollution, erosion, or siltation may be:

1. Declared a nuisance pursuant to Panama City Code of Ordinances, Chapter 12, Chapter II, and abated. The costs of nuisance abatement shall be assessed against the owner and the property as provided by special assessment, as a nuisance lien or as otherwise provided by law; or

2. Evaluated as to its impact upon City stormwater drainage systems. The cost of accommodating the increased flows shall be assessed against the owner and the property;

3. The owner shall be subject to penalties and fines pursuant to Panama City Code of Ordinances, section 1-8.

Sec. 106-15. - Off-site stormwater and sedimentation control facilities.

A. Upon director approval, developers may propose to provide off-site treatment and flood attenuation facilities if capacity of such systems is adequate, the offsite facilities serve the same drainage basin as the subject property or the director deems offsite facilities in a different drainage basin provide more public benefit, and the facilities maintenance is ensured.

B. In lieu of on-site facilities, developers may request to participate in existing or in a planned public or regional stormwater facilities, pursuant to a Development Agreement with the City, which by its terms shall require the developer to pay for improvements.

C. Where off-site facilities are approved to process and detain stormwater flows from any development, the developer shall submit all information required under section 106-12.C.

D. Existing drainage facilities and systems shall not be altered unless the proposed alterations would improve the performance, storage volume, capacity, efficiency or durability of the system or facility.

Secs. 106-16—106-20. - Reserved.

DIVISION 3. - TREE PROTECTION

Sec. 106-21. - Generally. No owner, developer agent or representative thereof shall cut down, destroy, remove, move, or injure, or commit any act that would cause damage to any protected tree located on any property within the city without approval from the City.

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Sec. 106-22. - Protected trees and measurement.

A. Protected trees. Protected trees shall include:

1. All dogwood and redbud trees with a diameter at breast height (Dbh) of 3 inches or more.
2. All other trees except pine trees which have a Dbh of 10 inches or more.

Sec. 106-23. - Exceptions. Trees otherwise protected may be removed, but only with the approval of the director, under the following circumstances:

1. Single-family residential lots. Single-family residential lots shall be exempt from the tree regulations within the footprint of any residential structure, or in proximity to potentially damage such improvements, including garage, carport, driveway and swimming pool. With regard to heritage, specimen, champion and historic trees protected by subsection (7)106-27?? hereof, this exemption is limited to those circumstances where all setback requirements have been met.
2. Other uses. Commercial, multifamily residential, industrial, institutional, and recreational parcels shall be exempt from the tree regulations within the footprint of the structure, the required runoff retention area and the required parking area, or in proximity to potentially damage such improvements, except for historic, specimen, heritage or champion trees protected by section 106-27. A historic, specimen, heritage or champion tree may be removed only if it is in the footprint of the structure, or the required runoff retention area and where all setback requirements have been met and no other alternative exists. The director may give credit toward landscaping requirements for existing trees preserved within the footprint if protected pursuant to section 106-28. All protected trees to be removed or preserved shall be shown on the site plan. The site plan shall also show buffer areas to be preserved and new trees to be planted and compliance with the landscape and buffer standards hereof.
3. Diseased, damaged or hazardous trees. Trees that are visibly diseased or damaged to the extent that the life of a tree has been virtually terminated or its growth or foliage substantially impaired, or that constitute a threat to public safety or damage to property may be removed.
4. Pruning and trimming. Ordinary pruning or trimming of trees and tree limbs is an exempt activity.

5. Emergency conditions and commercial tree growers.

i. Emergency waivers. The City Commission or its designated representative may waive all or part of these requirements in the event of natural disasters such as hurricanes, tornadoes, floods, or hard freezes. In such cases, the period of waiver shall not exceed ten days after the event, unless extended by the City Commission.

ii. Commercial tree growers. Licensed plant and tree nurseries shall be exempt from the terms and provisions of this subsection when trees planted or growing on the premises of said licensee are so planted and growing for sale to the general public in the ordinary course of business.

iii. Utility and public work operations.

a. Tree pruning and tree removal by duly constituted communication, water, sewer, electrical, or other utility companies or federal, state, county, or municipal agencies providing like services, or engineers or surveyors working under a contract with such utility companies or agencies shall be exempt, provided the removal is limited to those areas necessary for maintenance of existing lines or facilities or for construction of new lines or facilities in furtherance of providing utility service to its customers, and provided that the activity is conducted in a manner to avoid any unnecessary removal. The removal or pruning of trees in and around aerial electrical utility lines shall not exceed the guidelines of the National Electrical Safety Code necessary to achieve safe electrical clearance. All pruning and trimming shall be done in accordance with National Arborists Association Standards, except as otherwise provided.

b. Public Works projects by governmental agencies are exempt from the tree regulations in the same manner as utility companies.

6. Rights-of-way. The clearing of a path for an existing or new road right-of-way is exempt. The width of the path shall not exceed the right-of-way width standards for each type roadway established in this Land Development Code.

7. Nuisance and/or exotic trees. Trees that are declared nuisance and/or exotic trees by the Florida Exotic Pest Plant Council (FLEPPC) in its latest list of invasive plant species.



Sec. 106-24. - Conditions for tree removal.

A. The developer or owner shall take reasonable precautions to protect existing trees and shall provide a site drawing which accurately depicts protected trees on the site proposed for removal, including location, type of protected tree, and diameter in inches at breast height, in order to minimize the removal of protected trees. The protected trees proposed for removal depicted on the site drawing shall be marked on the site with “surveyor’s ribbon” or other similar material in order that the City’s staff can confirm the accuracy of the site drawing. Should the site drawing presented be inaccurate or the size of the tract be so substantial that confirmation of the accuracy of the site presented would either work an undue hardship on staff or result in an unreasonable expense to the City, the director may at his/her discretion require a tree survey of the site, certified by an engineer, surveyor, landscape architect or mapper, licensed in the State of Florida.

B. Once the requirements of subsection (a) above, have been met, the developer or owner shall satisfy one or more of the following conditions:

1. The use of the site cannot reasonably be undertaken unless specific trees are removed or relocated.
2. The tree is located in such proximity to an existing or proposed structure that the safety, utility, or structural integrity of the structure is materially impaired.
3. The tree materially interferes with the location, servicing, or functioning of existing utility lines or services and the lines may not reasonably be relocated.
4. The tree creates a substantial hazard to operators of motor vehicles or bicycles and pedestrian traffic because of its location.
5. The tree is diseased, insect-ridden, or weakened by age, abuse, storm, or fire and is likely to cause injury to persons or damage to structures or other improvements.
6. Any law or regulation requires the removal.

Sec. 106-25. - Replacement of removed trees.

A. Any protected trees removed by an owner or developer shall be replaced at the expense of the owner or developer with species identified on the tree replant list.

B. Each removed protected tree shall be replaced with a new tree or trees having a total tree caliper equivalent to that of the diameter at breast height of the tree removed.

C. Single-trunk replacement trees shall be a minimum of one-inch caliper and a minimum of 6 feet in overall height.

D. A replacement tree may be a tree moved from one location to another on the site.

E. If in the judgment of the director the site cannot accommodate the total number of required replacement trees as a result of insufficient planting area, the applicant shall make a monetary contribution to the tree protection and related expenses trust fund. The amount of such contribution shall be determined as follows:

1. For every diameter inch of replacement trees required, the contribution shall be equal to the retail value of a 2-inch caliper, nursery-grown shade tree plus the cost of planting. The retail value and planting cost per diameter inch shall be calculated by the City by taking the average published price of container-grown or balled and burlapped 2-inch caliper laurel oak. The retail and planting value per diameter inch shall be adjusted annually. The City may permit the planting of trees upon City property in lieu of monetary contributions.
2. The maximum mitigation replacement required for any developer shall be 100 diameter inches per acre subject to proration where fractional acreage is involved or 50 % of the total protected diameter inches of the trees removed from the lot, whichever is greater.

F. Any replacement tree, planted for credit, which dies within one year of planting, shall be replaced by a tree having not less than a 3-inch diameter at the time of planting, at the expense of the owner or developer responsible for the replacement of the tree removed.

G. No replacement trees with the potential to reach a height of 18 feet or greater shall be planted or otherwise located under or within 10 feet on either side of overhead utility lines.

Sec. 106-26. - Tree replant list. The following is the tree replant list:

A. Small trees	(Latin Name)
1. Crepe myrtle	(Lagerstroemia indica)
2. Devil’s walking stick	(Aralia spinosa)
3. Fringe tree	(Chionanthus virginicus)

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4. Goldenrain tree	(Koelreuteria elegans)
5. Holly, dahoon	(Ilex cassine)*
6. Hop-hornbeam	(Ostrya virginiana)
7. Hornbeam	(Carpinus caroliniana)
8. Plum, wild	(Prangustifolia)
9. Magnolia, oriental	(Magnolia spp.)
10. Sparkleberry tree	(Vaccinium arboreum)
11. Plum, American	(Prunus americana)
12. Fringe tree, Chinese	(Chionanthus retusa)
13. Smooth redbay	(Persea borbonia)*
14. Pear, Bradford	(Pyrus calleryana Bradford)
15. Glossy privet	(Ligustrum lucidum)
16. Loquat	(Eriobotrya japonica)
16. Red buckeye	(Aesculus pavia)
17. Hawthorns	(Crataegus spp.)
18. Silverbell	(Halesia coroliniana)
19. Yaupon holly	(Ilex vomitoria)
20. Ashe magnolia	(Magnolia ashei)
21. Crab apple	(Malus angustifolia)
22. Wax myrtle	(Myrica cerifera)
23. Flatwoods plum	(Prunus umbellata)
24. Hoptree	(Ptelea trifoliata)
25. Myrtle oak	(Quercus myrtifolia)
26. Virginia stewartia	(Stewartia malacodendron)
27. Rust blackhaw	(Viburnum rufidulum)
28. Dogwood	(Cornaceae)

8. Cottonwood	(Populus deltoides)
9. Cypress, pond	(Taxodium ascendens)
10. Bald cypress	(Taxodium discithum)
11. Elm, Florida	(Ulmus americana floridana)*
12. Elm, winged	(Ulmus alata)*
13. Hickory	(Carya spp.)*
14. Loblolly bay	(Gordonia lasianthus)
15. Maple, Florida	(Acer barbatum floridanum)*
16. Mulberry, red	(Morus rubra)
17. Oak, post	(Quercus stellata)*
18. Oak, Shumard	(Quercus shumardii)*
19. Oak, southern red	(Quercus falcata)*
20. Oak, swamp chestnut	(Quercus michauxii)*
21. Oak, white	(Quercus alba)*
22. Live oak	(Quercus virginiana)
23. Palm, cabbage (Note: Palm trees are acceptable only if approved by the director.)	(Sabal palmetto)
24. Palm, pindo	(Butia capitata)
25. Persimmon	(Diospyros virginiana)
26. Pine, spruce	(Pinus glabra)
27. Sweetbay	(Magnolia virginiana)*
28. Gum, sweet or red	(Liquidambar styraciflua)
29. Tulip tree	(Liriodendron tulipifera)
30. Tupelo, water	(Nyssa aquatica)
31. Walnut, black	(Juglans nigra)*
32. Wax myrtle	(Myrica cerifers)*

(Trees numbered r.—cc. are native.)
(Trees numbered p.—cc. are suitable for planting underneath utility lines.)

*Denotes shade trees.

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Source: Native Trees for North Florida, Florida Cooperative Extension Service, University of Florida.

B. Medium and large trees	(Latin Name)
1. Ash, white (local)	(Fraxinum americana)*
2. Birch, river	(Betula nigra)*
3. Basswood	(Tilia caroliniana)
4. Catalpa, southern	(Catalpa bignonioides)
5. Cedar, Atlantic white	(Chamaecyparis thyoides)
6. Southern red cedar	(Juniperus silicicola)
7. Cherry laurel	(Prunus caroliniana)*

Sec. 106-27. - Historic, specimen, champion, and heritage trees.

A. A historic tree is one that has been designated by the City Commission as one of notable historical interest and value to the City because of its location or historical association with the community.

B. A specimen tree is one that has been officially designated by the City Commission to be of high value because of its type, size, age, or other relevant criteria.

C. A champion tree is one that has been identified by



the Florida Division of Forestry as being the largest of its species within the State of Florida or by the American Forestry Association as being the largest of its species in the United States. Any tree in the City selected and duly designated as a Florida State Champion, U. S. Champion, or World Champion by the American Forestry Association shall be protected.

D. A heritage tree is any tree with a diameter of at least 30 inches or 7 feet ten inches in circumference, whichever dimension is less, measured at a point 54 inches above ground level. Heritage trees shall be considered protected trees.

E. No historic, champion, heritage, or specimen tree shall be removed unless there is a specific provision in this Land Development Code providing an exemption therefor.

Sec. 106-28. - Protection of trees during development activities.

A. Generally. To assure the health and survival of protected trees, no person shall engage in any activity that would result in injury to any tree from the following causes:

1. Mechanical injuries to roots, trunk, or branches;
2. Injuries by chemical poisoning;
3. Injuries by grade changes;
4. Injuries by excavations;
5. Injuries by paving;
6. Any other avoidable consequence that may cause or contribute to tree injury.

B. Tree protection zone. A circular tree protection zone shall be established around each protected tree as follows:

1. If the drip line is less than 6 feet from the trunk of the tree, the zone shall be that area within a radius of 6 feet around the tree.
2. If the drip line is more than 6 feet from the trunk of the tree, but less than 20 feet, the zone shall be that area within a radius of the full drip line around the tree.
3. If the drip line is 20 feet or more from the trunk of the tree, the zone shall be that area within a radius of 20 feet around the tree.

Sec. 106-29. Street tree planting.

A. There are many reasons to plant street trees. Depending on canopy density, trees reduce temperatures. They provide shade and visual interest by leaf and bloom color, bark texture, profile and scaffold architecture. They also provide protection and security to the ever increasing pedestrian traffic.

1. Sidewalk and swale tree planting. These are usually individual trees planted at or near the street curb line for aesthetic, environmental and security reasons. Many sidewalk trees are planted and/or maintained by adjacent property owners. It is their voluntary contribution to the city tree canopy.

2. Median tree planting. Street medians form a special area of public park land. Proximity and speed of vehicular traffic influence the tree size category and placement. Tree species classification and size selection is in inverse correlation with proximity and speed of roadway traffic. As speed of traffic increases and median width narrows, size of tree selected should decrease or be moved farther into the center of the median. Median tree plantings serve to provide:

- a. Security to pedestrians crossings wide streets.**
- b. A screen for drivers from headlight glare of oncoming traffic.**
- c. Blockage of direct sun into the eyes of drivers, especially commuters traveling east and west. An indication of the course of the roadway in the distance.**
- d. A protective barricade to head-on collisions with out-of-control vehicles which cross into the median.**

3. Arbor streets. The majority of the property owners abutting any street may request establishment of an arbor street. An arbor street is one (1) determined by the City to be suitable for extensive planting of trees. Requests shall be in writing and submitted to the department. The request shall:

- a. Be on a standard form obtainable from the City;**
- b. Designate areas to be improved by tree planting;**
- c. Contain names of all owners wishing trees to be planted adjacent to or upon their properties;**

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d. Evidence a commitment to contribute to the cost of and provide subsequent care, feeding and maintenance of such plantings; and

e. Contain a proposed planting plan.

B. The department shall coordinate with and obtain recommendations from the appropriate City Departments reviewing the arbor street application. Review shall take into consideration the general safety and welfare of the public, the interests of affected property owners, utilities, and municipal services, present and future and shall include but not be limited to onsite inspections of the proposed planting area.

C. When the arbor street request has been reviewed by all departments concerned, the representative of the City shall submit any objections and amendments to the applicants. Should the area be determined by the City to be unsuitable for arbor street purposes, the applicants will be notified of the unsuitability.

D. The application shall constitute an agreement between the City and the applicants. The City Commission must approve the application. The arbor street project shall be implemented in accordance with provisions of the approved plan, and as City resources may permit. The applicants shall supply the planting labor, the City shall supply the trees, or vice versa as the approved plan provides.

E. Trimming of arbor street plantings by adjacent property owners is permitted and all such work shall adhere to the American National Standards Institute, A-300 standards or similar accepted standards as published. Trees existing within an area designated in an arbor street agreement are not to be removed without permit.