

The Proposed 1.01 B Tree Preservation Amendment

PLEASE NOTE: All accepted changes will result in changes and additions to the Table of Contents, Key Words, Definitions, Tables, etc.

❖ Reason for changing the existing Tree Restrictions in 1.01 B:

- The original Pine Ridge tree preservation recommendation was to clear only what was required for development for new builds. In 2012, the first tree restrictions required all lots to keep a 10-foot buffer plus 30 mature trees per acre. Later, the 10-foot buffer was removed and only 30 mature trees were required. No Clear Cutting was ever permitted.
- Then in 2021, the ban on clear cutting was removed, the minimum of 30 mature trees remained, unless it was inconvenient. The language became subjective and unenforceable.
- This revision restores tree preservation that works for the long term by establishing a Tree Preservation Zone of 15 feet on all side and rear property lines, providing privacy and beauty for all. It also establishes a simple system of reasonable tree inspection procedures for new Main Structure construction to keep Pine Ridge the beautiful ecological oasis it is. Passage of this revision will make a difference for generations to come and for your peace of mind now.

QUESTION: Shall Section 1.01 B be deleted in its entirety and be replaced with the following text?

1.01 B. Tree Preservation and Lot Development

~~It is the intent that as many trees as possible be left on the property while allowing the homeowner maximum flexibility in the use of the property.~~

~~1. Requirements for New Main Structure Construction~~

~~a. Prior to the commencement of clearing, a tree preservation/ clearing/replacement plan must be presented by the owner or his/her agent to the ADC for approval. The uncleared areas on the Lot to be preserved shall be documented on the plan prior to clearing work. Individual trees are not required to be identified on the plan.~~

~~b. A minimum of 30 mature trees of 6 inch or greater diameter as measured from 4 feet above grade will be maintained, per whole acre of property. For Lots greater than one acre and legally combined as one Lot, the required trees may be distributed on any portion of the Lot. For example, all of the 90 trees required on a three-acre Lot may have all these trees on one of the three acres. This will facilitate the efficient use of property for pastures. If a Lot has less than 30 mature trees, the planting of additional trees will not be required. It is suggested, but not required, that preservation of existing trees be focused on the perimeter of the Lot. If existing~~

~~trees interfere with the planned placement of the Main Structure or Accessory Structures, their removal will be permitted even if it results in a per acre tree count below 30.~~

~~e. Lots shall not be cleared before being inspected by a licensed environmental consultant, certified inspector, or certified builder to ensure that there are no species of animals present that are protected by State or Federal Laws. Said certification must be submitted to the ADC with the construction application.~~

~~d. Within ninety (90) days of issuance of a County Certificate of Occupancy or final permit, all surface areas disturbed by construction activity shall be landscaped with plantings, grass, trees, bushes, sod, mulch, or smooth decorative landscaping stones except in areas where equines will be stabled.~~

2. Requirements for Subsequent owner(s) of Developed Properties

~~If a minimum of 30 mature trees (6 inch or greater diameter as measured from 4 feet above grade per whole acre of developed property) exists after the change of ownership, they shall remain unless a tree or trees present a danger to an existing structure or if additional construction is undertaken following an approved ADC application.~~

~~a. If existing trees interfere with the planned placement of Accessory Structures, their removal will be permitted even if it results in a per acre tree count below 30.~~

~~b. If a Lot has less than 30 mature trees, the planting of additional trees will not be required. Replacement trees may be at any level of maturity.~~

1.01 B. Tree Preservation and Lot Development Requirements and Standards

The wooded character of each and every Lot shall be maintained and tree removal will be done only as required for construction. Clear Cutting is prohibited. The Tree Preservation Zone (TPZ) shall remain on all lots. (See exceptions 1.01 B 8)

1. Requirements for New Main Structure Construction

Prior to the commencement of tree removal, the following documents must be submitted by the Lot Owner or their representative/agent to the ADC, signed by the Lot Owner or their representative/agent, and notarized if specified on the form:

a. **Tree Preservation Plan** (signed and displayed in permit box. (1.01 B 2)

b. **Citrus County and Association tree affidavits** (signed and notarized)

c. **Environmental Inspection Report** (submission only)

An environmental inspection must be performed by a licensed environmental consultant to ensure that there are no species of animals present that are protected by State or Federal Laws. Said certification must be submitted to the ADC with the construction application.

d. **Tree Inspection Schedule** (signed and displayed in permit box) (1.01 B 6)

The Association shall have an express easement right to enter upon any Lot for the sole purpose of inspecting said Lot in order to determine compliance with this Section 1.01B. Such entry shall not be deemed to be a trespass.

(2) The Tree Preservation Plan

The Tree Preservation Plan shall include the following and be shown on the submitted boundary survey as required by 9.01 A paragraph 2.

a. The **Tree Preservation Zone (TPZ)**, is a buffer area fifteen (15) feet from the side Lot lines and fifteen (15) feet from the rear Lot line and maintained in perpetuity. (see 1.01 B 8 for exceptions). This is not the structure setback requirement. (see 1.01 D & E). The TPZ for Corner Lots shall consist of fifteen (15) feet from the rear Lot line and fifteen (15) feet from the side Lot line that is not adjacent to a street. The Minimum Mature Trees number must be maintained.

No Mature Trees shall be removed from the **TPZ**.

b. Specimen Trees (any tree measuring twenty four (24) inches in diameter at four point five (4.5) feet above ground level) (See 1.00). All Specimen Trees that are located on that Lot shall be preserved as specified in Citrus County (LDC) Chapter 5, 5700 Tree Preservation and Protection Standards.

c. Mature Trees (See 1.01 B 3 below) located elsewhere on that Lot the Owner wants to be preserved.

d. The Minimum Mature Trees Number for that Lot shall be noted on the Tree Preservation Plan. (See 1.01 B 4 below)

(3) Mature Trees are defined herein as those being four (4) inches or greater in diameter, measured at four point five (4.5) feet above ground level. Mature Trees shall be preserved in the TPZ on any Lot.

(4) The Minimum Mature Trees Number for each and every Lot is thirty (30) per whole acre and fraction thereof and shall be maintained in perpetuity. (see 1.01 B 8 for exceptions).

a. Acreage shall be rounded to the nearest tenth of an acre, e.g., for a 2.77 acre lot, 2.8 X 30 = 84 Minimum Mature Trees.

b. If a Lot has fewer than thirty (30) Mature Trees per acre prior to initial development, or later improvement, the planting of additional trees will not be required.

For example, if a Lot has twenty six (26) Mature Trees as defined herein, that number becomes the Minimum Mature Trees Number for that Lot going forward.

c. If Mature Tree(s) removal to accommodate construction of a Main Structure, results in that Lot having fewer than its calculated Minimum Mature Tree Number, then an equal number of Replacement Trees is required to be planted to restore that Lot's Minimum Mature Tree Number.

(5) Replacement Tree(s) shall be hardwood species that are minimum two (2) inches in diameter or greater measured at one (1) foot above ground level, or conifer species a minimum of five (5) to six (6) feet above ground level.

a. Replacement Trees may be planted anywhere on that Lot.

(6) Tree Inspection Schedule for Undeveloped Lots

The Lot Owner shall grant written permission for tree inspection of the site by the Association's management or agent.

a. **Inspections required:**

i) **Before tree removal begins** The TPZ must be marked with continuous two (2) inch yellow caution tape or other means of visual identification.

ii) **After preconstruction tree removal is completed.**

iii) **Upon completion of construction of the Main Structure.**

b. After receipt of written notification from the General contractor or Lot owner, all inspections will be performed by an Association management individual or agent, within 3 to 5 business days.

c. **A Stop Work Order, effective immediately,** will be issued if an inspection reveals a tree related restriction violation. Work can continue after written resolution with Association management.

d. Also see 9.01 C Compliance Verification.

(7) Requirements for Lot Owner(s) of Developed Lot(s)

a. Any improvement requiring an ADC application that would affect the TPZ or the Minimum Mature Trees Number of a Lot requires a Tree Preservation Plan.

b. If existing Mature Trees interfere with the planned placement of Accessory Structures, their removal will be permitted. Replacement Trees are required to restore the Minimum Mature Trees Number for that Lot, if applicable.

(8) Exceptions to Minimum Mature Tree and TPZ Requirements

a. If a Fence is to be installed in the Tree Preservation Zone, the maximum allowable cleared area is three (3) feet either side of the Fence. If this results in fewer than the Minimum Mature Trees Number for that lot, Replacement Trees are required. (see Tree Removal Mitigation (1.01 B 9))

b. **Hazard and Specimen Trees**

All aspects of the Land Development Code (LDC) Chapter 5, 5700 Tree Preservation and Protection Standards must be adhered to. If a Hazard Tree must be removed and affects the Minimum Mature Tree Number for that Lot, replacement is not required. The new Minimum Mature Tree Number for that lot is reduced by the number of Hazard Trees removed. (1.01 B 9 a)

c. **Equestrian Lots**

i) For Lots on which horses will be stabled, the TPZ shall be ten (10) feet from the property line. ADC approval of a stable, barn and/or a tree clearing application must be posted before clearing for pasture may begin. If no stable or barn is to be constructed, the TPZ remains fifteen (15) feet. The Minimum Mature Tree Number of thirty (30) per full acre is still required. For Lots greater than one acre and legally combined as one Lot, the required trees may be distributed on any portion of the Lot. For example, all of the 90 trees required on a three-acre Lot may have all these trees

on one of the three acres. No Mature Tree removal is permitted within the ten (10) foot Tree Preservation Zone.

(9) Tree Removal Mitigation and Site Restoration

- a. Any violation of the Minimum Mature Tree Number shall be mitigated by planting Replacement Trees within ninety (90) days of the violation event (1.01 B 4). Payment of any fines levied for violations does not negate the requirement to plant Replacement Trees. The Lot Owner is responsible for ensuring the Minimum Mature Tree Number for that Lot is maintained.

- b. Written notification of Replacement Trees mitigation by the Lot Owner is required to be sent to PRPOA Management upon mitigation completion. (See 9.01 C Compliance Verification)

- c. Within ninety (90) days of issuance of a County Certificate of Occupancy or final permit, all surface areas disturbed by construction activity shall be landscaped with plantings, grass, trees, bushes, sod, mulch, or smooth decorative landscaping stones except in areas where equines will be stabled. (See 4.09 A)